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House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore [Mr. YOUNG of Florida].

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
June 10, 1997.

I hereby designate the Honorable C.W. BILL YOUNG to act as Speaker pro tempore on this day.

NEWT GINGRICH,
Speaker of the House of Representatives.

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 21, 1997, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority and minority leader limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Puerto Rico [Mr. ROMERO-BARCELÓ] for 5 minutes.

COLONIAL RELATIONSHIP WITH PUERTO RICO IS UNSUSTAINABLE

Mr. ROMERO-BARCELÓ. Mr. Speaker, as Puerto Rico's sole Representative in the U.S. Congress, I rise today in strong support of H.R. 856, the United States Puerto Rico Status Act.

Already 856 is a truly historic piece of legislation that will allow the 3.8 million U.S. citizens' residing in Puerto Rico to exercise their inalienable right to self-determination and to resolve once and for all their 100-year-old colonial dilemma.

In order to understand the magnitude of this very important issue, we have

to put matters in historical perspective. Puerto Rico became a territory of the United States in 1898 pursuant to the Treaty of Paris following the Spanish-American War. U.S. citizenship was extended to Puerto Ricans in 1917 under the Jones Act.

Then, in 1950, the U.S. Congress passed the Puerto Rico Federal Relations Act which authorized Puerto Rico to establish a local self-government in the image of State governments. The intent was to create a provisional form of local self-rule until the status issue could be resolved. Puerto Rico would remain an unincorporated territory of the United States subject to the authority and plenary powers of Congress under the territorial clause of the Constitution.

Puerto Rico and the United States are immersed in a colonial relationship that clearly contradicts the most basic tenets of democracy. One in which Puerto Rico's economic, social and political affairs are, to a large degree, controlled and influenced by a government over which we exercise no control and in which we do not participate fully. A relationship that, ironic as it may seem, will not even allow me to vote in favor of this historic bill on final passage when it reaches the floor, although I represent 3.8 million citizens residing in Puerto Rico.

Fellow Members, this relationship is no longer in the best interests of the Nation and the constituents that we represent here in Congress, and it certainly and clearly is not in the best interests of the 3.8 million citizens of Puerto Rico.

Congress not only has the power but also the moral obligation to put an end to the disenfranchisement of the 3.8 million U.S. citizens residing in Puerto Rico. H.R. 856, with its broad bipartisan support of nearly 90 cosponsors, including the gentleman from Georgia, Speaker NEWT GINGRICH, and the gentleman from Missouri Mr. GEPHARDT,

clearly evidences that this is not a Republican or a Democratic issue. This is not a liberal or a conservative issue. This is not a majority or minority issue. The issue here is whether the United States, as a nation and as an example and inspiration of democracy throughout the world, can continue to deny equality and maintain 3.8 million of its own citizens disenfranchised.

After 100 years, our Nation has finally begun to recognize that its colonial relationship with Puerto Rico is unsustainable. On June 6, 1997, the Washington Post published an editorial entitled "An Obligation of Equality" that evidences the growing concern nationwide regarding the disenfranchisement of the U.S. citizens of Puerto Rico.

In addressing Congress' long overdue role in this issue, the editorial mentioned a referendum next year giving the territory's nearly 4 million residents a once and for all choice over its relationship with the United States. The key moment came a few weeks ago when the House Committee on Resources approved 44 to 1 a bill from the gentleman from Alaska, DON YOUNG, chairman of the committee, allowing Puerto Ricans to decide the future of their island. The old question is being brought to a new boil by the approach of the centennial of the Spanish-American War.

The gentleman from Alaska said in May when his bill was passed in the committee:

It is time for Congress to permit democracy to fully develop in Puerto Rico, either as a separate sovereign republic or as a State, if a majority of the people are no longer content to continue the existing commonwealth structure for local self-government.

Its supporters tried hard in committee to sweeten the defense of commonwealth that would be put to referendum. For now, anyway, the island's statehood party is on a roll.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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For Americans, but wait a minute. Puerto Ricans are already Americans. The issue for all of us is that they are citizens without political rights, including a vote in Congress. This is the anomaly the proposed referendum system proposed to remedy. Whatever the Puerto Rican choice, we continental Americans have an obligation of equality to our fellow citizens on the island.

And that is the end of testimony from an editorial in the Washington Post.

H.R. 856 is the most comprehensive measure affecting self-determination of a U.S. territory since the Alaska and Hawaii Admission Acts of the late 1950's.

I cannot emphasize the importance of this bill not only for the 3.8 million U.S. citizens of Puerto Rico but for the Nation as a whole. The time has come to empower the people by giving them clear choices which they understand and which are truly decolonizing so we can reveal the people of Puerto Rico's true desire through a legitimate act of self-determination.

Let us comply with the call history is making upon us. Let us give our fellow citizens an opportunity in the name of freedom.

Mr. Speaker, I include for the RECORD the editorial from the Washington Post to which I referred.

[From the Washington Post, June 6, 1997]

AN OBLIGATION OF EQUALITY

Americans don't have long to get accustomed to the possibility that they may soon be considering admitting Puerto Rico as the 51st state. This outcome arises from the fact that, largely unattended, Congress is heading toward organizing a referendum next year giving the territory's nearly 4 million residents a "once and for all" choice of its relationship to the United States. The key moment came a few weeks ago, when the House Resources Committee approved 44 to 1 a bill from Chairman Don Young (R-Alaska) allowing Puerto Ricans to decide the future of their island. This old question is being brought to a new boil by the approach of the centennial of the Spanish-American War, in which the United States acquired bits of global empire. To many people, 100 years of American sovereignty over a territory denied full rights is enough.

The proposed referendum offers voters a choice among statehood, independence and the existing "commonwealth." Commonwealth, however, enters the contest under a double burden. It has been tried over the decades and found wanting by many, and it is now widely seen as anachronistically "colonial," even though it was a status voluntarily chosen and repeatedly affirmed. Chairman Young said in May, when his bill was passed in committee: "It is time for Congress to permit democracy to fully develop in Puerto Rico, either as a separate sovereign republic or as a state if a majority of the people are no longer content to continue the existing commonwealth structure for local self-government." Its supporters tried hard in committee to sweeten the definition of commonwealth that would be put to referendum. They failed. For now, anyway, the island's statehood party is on a roll.

For Puerto Ricans, the status question bears deeply on identity as well as practical benefit. Closely related is the issue of language; the committee declared that English—a minority language in Puerto Rico—

shall apply "to the same extent as Federal law requires throughout the United States." Tough issues of taxes and benefits must also be calculated.

For Americans. . . . But wait a minute. Puerto Ricans are already Americans. The issue for all of us is that they are citizens without full political rights, including a vote in Congress. This is the anomaly the proposed referendum is meant to remedy. Whatever the Puerto Rican choice, we continental Americans have an obligation to equality to our fellow citizens on the island.

FLAG BURNING AMENDMENT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Texas [Mr. PAUL] is recognized during morning hour debates for 5 minutes.

Mr. PAUL. Mr. Speaker, the Congress will soon vote on a flag burning amendment to the Constitution. This issue arouses great emotions, even without any evidence flag burning is a problem. When was the last time we heard of a significant incident involving flag burning? It is a nonissue, but Congress has managed to make it one while avoiding the serious matters of life, liberty, and property.

As Congress makes plans to attack the flag enemies, it stubbornly refuses to consider seriously the Doctrine of Enumerated Powers, property rights, political propaganda from a government-run educational system, taxpayers' paid-for NEA sacrilege, licensing of all broadcast networks, or taxpayers' financing of monopolistic political parties, let alone the budget, the debt, the deficit, honest money, policing the world and the entire welfare state.

Will the country actually be improved with this amendment? Will true patriotism thus thrive as the malcontents are legislated into submission? Do we improve the character of angry people because we threaten them with a prison cell better occupied by a rapist?

This whole process fails to address the anger that prompts such misguided behavior as flag burning. We have a government growing by leaps and bounds, our citizens are fearful of the future and we respond by creating the underwear police. Surely flag underwear will be deemed a desecration.

Why is dealing with a symptom of anger and frustration by suppressing free expression a moral good?

The best I can tell is legislative proposals like this come from Congress' basic assumption that it can legislate economic equality and mold personal behavior. The reasoning goes; if Congress thinks it can achieve these goals, why not legislate respect and patriotism, even if it does undermine freedom of expression and property ownership.

Desecration is defined as: "To divest of a sacred character or office, commit sacrilege or blasphemy or to deconsecrate." If consecrate is "to make sacred; such as a church or bread or wine", how can we deconsecrate

something not first consecrated? Who then consecrated the flag? When was it done?

"Sacred" beliefs are those reserved for a religious or Godly nature, "To set apart for the worship of a deity. To make holy." Does this amendment mean we now concede the flag is a religious symbol? Will this amendment, if passed, essentially deify the State?

There are some, I am sure, who would like to equate the State with God. The State's assumption of parental rights is already a deep concern to many Americans. Will this encourage more people to accept the State as our God? We imply by this amendment that the State is elevated to a religion, a dangerous notion and one the founders feared. Calling flag burning blasphemous is something we should do with great caution.

Will it not be ironic if the flag is made sacred and we write laws against its desecration at the same time we continue to steal taxpayers' money to fund the National Endowment for the Arts, which truly desecrates Christ and all of Christianity in the name of free speech?

The flag, indeed, is a loved patriotic symbol of American pride and freedom. Many of us, I for 5 years, served our country in the military fighting for the principles of liberty, but not for the physical cloth of which the flag is woven.

There is confusion between the popular symbol and the real stuff, and in the process of protecting our symbols we are about to undermine the real stuff: liberty. The whole notion of legislating against desecration is vague and undefinable. Burning can be easily identified, but should it not matter who paid for the flag? And are there no owners of the particular flag involved? Are all flags to be communal property?

If we pretend flags are universally owned, that means we can use them randomly. If there is no individual ownership, how can one buy or sell a flag? Should it not be a concern as to where the flag is burned and on whose property? With this legislation, the flag will lose its identity as property and become a holy government symbol not to be desecrated. These are difficult questions but they must be answered.

Whatever happened to the notion that freedom to express unpopular, even obnoxious views, including Marxist views, was the purpose of guaranteeing freedom of expression? Of what value is protection of only popular and majority-approved opinions? That is a mockery of liberty. Soviet citizens had that much freedom. Remember, dissidents who burned the Soviet flag were shot.

A national flag police can only exist in a totalitarian state. We should have none of it. Why not police the burning of the Constitution, the Declaration of Independence, the Emancipation Proclamation? These acts, expressing a radical fringe view, would be as equally repugnant.

INTRODUCTION

The Congress will soon vote on a flag burning amendment to the Constitution. This issue arouses great emotions even without any evidence flag burning is a problem. When was the last time we heard of a significant incident involving flag burning? It's a nonissue but Congress has managed to make it one while avoiding the serious matters of life, liberty, and property.

There just is no flag desecration crisis. Where are the demonstrators, where are the letters? Will this only lead to more discredit on Congress? Only 6 percent of the American people trust anything they hear from the Federal Government so why should they believe there is a flag crisis requiring an adjustment to the Bill of Rights for the first time in our history. Since most of what Congress does, leads to unintended consequences, why do we feel compelled to solve imaginary problems?

The American people are way ahead of the U.S. Congress and their distrust is a healthy sign the Republic will survive in spite of all our good deeds and noble gestures. And that's good.

What sense of insecurity requires such a public display to reassure ourselves we are patriots of the highest caliber, confident enough to take on the flag burning movement—a movement yet to raise its ugly head. Our political saviors will have us believe that our loyalty to America hinges on this lone amendment to the Constitution.

As Congress makes plans to attack the flag enemies, it stubbornly refuses to consider seriously: the Doctrine of Enumerated Powers, property rights, political propaganda from a government run educational system, taxpayer's paid-for NEA sacrilege, licensing of all broadcast networks, or taxpayer's financing of monopolistic political parties, let alone the budget, the debt, the deficit, honest money, policing the world, and the entire welfare state.

Pervasive bureaucratic government is all around us and now we're spending time on developing the next addition to the Federal police force—the flag police. Diverting attention away from real problems toward a pseudoproblem is not a new technique of politicians.

MOTIVATION

Political grandstanding is probably the greatest motivation behind this movement to change the Constitution. It's thought to be easy to embarrass those who, on principle, believe and interpret the first amendment differently. Those who vote eagerly for this amendment do it with good intentions as they laugh at the difficult position in which opponents find themselves.

Will the country actually be improved with this amendment? Will true patriotism thus thrive as the malcontents are legislated into submission? Do we improve the character of angry people because we threaten them with a prison cell, better occupied by a rapist?

This whole process fails to address the anger that prompts such misguided behavior as flag burning. We have a government growing by leaps and bounds, our citizens are fearful of the future, and we respond by creating the underwear police—surely, flag underwear will be deemed a desecration.

Why is dealing with a symptom of anger and frustration by suppressing free expression a moral good?

The best I can tell is legislative proposals like this come from Congress' basic assumption

that it can legislate economic equality and mold personal behavior. The reasoning goes; if Congress thinks it can achieve these goals, why not legislate respect and patriotism even if it does undermine freedom of expression and property ownership?

DESECRATION

Desecration is defined as: "To divest of a sacred character or office, commit sacrilege or blasphemy or de-(con)secrate." If consecrate is "to make sacred; such as a church or bread and wine," how can we "de-consecrate" something not first "consecrated?" Who then consecrated the flag? When was it done? "Sacred beliefs are those reserved for a religious or Godly nature, i.e., to set apart for the worship of a deity. To make holy." Does this amendment mean we now concede the flag is a religious symbol? Will this amendment if passed essentially deify the state?

There are some, I'm sure, who would like to equate the state with God. The state's assumption of parental rights is already a deep concern to many Americans. Will this encourage more people to accept the state as our God? We imply by this amendment that the state is elevated to a religion—a dangerous notion and one the Founders feared. Calling flag burning blasphemous is something we should do with great caution.

Won't it be ironic if the flag is made sacred—consecrated—and we write laws against its desecration at the same time we continue to steal taxpayer's money to fund the National Endowment for the Arts which truly desecrates Christ and all of Christianity in the name of free speech? I must repeat this question: Won't it be ironic if the flag is made sacred and we write laws against its desecration at the same time we continue to steal taxpayer's money to fund the National Endowment for the Arts which desecrates Christ and all of Christianity in the name of free speech?

The flag indeed is a loved patriotic symbol of American pride and freedom. Many of us, I for 5 years, have served our country in the military fighting for the principles of liberty, but not for the physical cloth of which the flag is woven.

There is confusion between the popular symbol and the real stuff, and in the process of protecting our symbols we are about to undermine the real stuff—liberty. The whole notion of legislating against desecration is vague and undefinable. Burning can be easily identified but shouldn't it matter who paid for the flag? Are there no owners of the particular flag involved? Are all flags to be communal property? If we pretend flags are universally owned, that means we can use them randomly. If there is no individual ownership how can one sell or buy a flag? Should it not be a concern as to where the flag is burned and on whose property? With this legislation the flag will lose its identity as property and become a holy government symbol not to be desecrated? These are difficult questions but they must be answered.

Will using a flag as underwear or as a beach towel or a handkerchief or flying it upside down become a Federal crime?

The American Legion and the Veterans of Foreign Wars burn flags to dispose of them. This respectful ritual is distinguished from a hoodlum doing it only by the intent. Are we wise enough to define and legislate intent under all circumstances? Intent obviously implies an expression of a view. So Congress

now feels compelled to police intentions, especially if seen as unpopular.

Whatever happened to the notion that freedom to express unpopular, even obnoxious views, including Marxist ideas was the purpose of guaranteeing freedom of expression. Of what value is protection of only popular and majority-approved opinions? That's a mockery of liberty. Soviet citizens had that much freedom. Remember, dissidents who burned the Soviet flag were shot. A national flag police can only exist in a totalitarian state. We should have none of it.

Why not police the burning of the Constitution, the Declaration of Independence, the Emancipation Proclamation? These acts, expressing a radical fringe view, would be as equally repugnant, and a case could be made they might be even more threatening because their attack would be precise and aimed at the heart of American liberty. The answer is the political mileage is with the flag and tough luck to those who have principled opposition.

But no one should ever squirm or weasel out of the right vote, even if threatened with possible negative political fallout.

FEDERAL AVIATION ADMINISTRATION IS AGENCY IN DISARRAY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Florida [Mr. MICA] is recognized during morning hour debates for 5 minutes.

Mr. MICA. Mr. Speaker, I am deeply concerned that the Federal Aviation Administration is an agency in disarray, at best. In fact, at worst, it is an unpiloted craft without any direction.

The primary mission of the Federal Aviation Administration is to ensure airplane and passenger safety and security. Last year, after the explosion of TWA flight 800, FAA tightened security at all U.S. airports.

Airports spent hundreds of millions of taxpayer dollars to change parking and cars were towed when vehicles were left unattended. Some of the harassment of the traveling public became, in fact, absurd. Finally, after assurances that no immediate terrorist attack was underway, FAA allowed our airports and the traveling public some more reasonable approaches to airport parking and passenger access.

Now, months after nearly all evidence points to a mechanical failure as the cause of TWA flight 800, FAA continues to harass the American traveling public with several dumb and totally unproductive procedures. Regulations still require that passengers are asked these questions: First, "Have you packed your own luggage or bag?"; and second, "Has your baggage or luggage been in your possession at all times?"

Now, I ask what flaky half-baked terrorist or terrorist accomplice would answer these questions legitimately? Should a passenger honestly confess to this interrogation, they should be cautioned because they will be searched, harassed, and subject to Gestapo-like interrogation.

Mr. Speaker, the loss of life as a result of domestic air terrorism does not

even rank as a cause of airline fatalities, yet FAA spends untold resources enforcing, fining, and monitoring this outdated requirement. All this is done in spite of the fact that TWA flight 800 exploded due to a mechanical failure.

□ 1045

In addition to asking the unproductive questions I mentioned, ticket agents must see a photo ID. I submit that not since the fall of the former Soviet Union have American domestic airline passengers or any passengers been subject to similar photo ID requirements.

Now, showing your photo ID at the ticket counter sure does a lot of good. Any fool could check in at a ticket counter, pass their ticket on to another passenger, who would then board the airplane. Now, if the passenger was required to show a ticket, a name, and photo ID as you boarded the airplane with your ticket coupon, that might match the passengers with the ID's that they present. Here again, FAA makes airlines and passengers jump through useless and needless hoops. Agents and airlines are fined if they fail to comply.

My response when I wrote the FAA, when I questioned and protested these ridiculous regulations, are actually dumber than the requirements FAA has mandated. Why not dedicate FAA personnel, energy, and funding for really improving airline safety and security? We know the causes of almost every fatal domestic airline crash with certainty except for several cases, and the FAA knows them.

One is a problem with 737's. These models carry a tremendous number of passengers. And there are two airline crashes, one in Pittsburgh and the other United, in Colorado, crashes because of problems with their rudders and their stabilization. FAA should be paying attention to this problem. Even in spite of Vice President GORE's announcement in 1996, simulation training and retrofitting of 737's could be expedited rather than taking 2 years as now planned. Further research and resources could be devoted to finding the mechanical problems that downed TWA flight 800 and killed 229 people.

After 10 years, FAA has blown billions of dollars and still failed to upgrade our outdated 1950's air traffic controller system. And after numerous fatal crashes of imported commuter planes, FAA has still not begun to crack down on these imported aircraft. Let us put the emphasis where it should be. Let us get FAA together.

THINGS ARE NOT QUIET ON THE SOUTHERN FRONT

The SPEAKER pro tempore [Mr. YOUNG of Florida]. Under the Speaker's announced policy of January 21, 1997, the gentleman from Florida [Mr. GOSS] is recognized during morning hour debates for 5 minutes.

Mr. GOSS. Mr. Speaker, is all quiet on the southern front? No, not really.

Despite the resounding silence from the press and the White House on the current situation in our neighboring country Haiti, things are far from quiet. In fact, things are so bad that the prime minister quit yesterday.

Over the past few weeks, we know Haitians have rioted in the streets of Port-Au-Prince and other towns. Incidents of assaults, rock throwing, and general lawlessness have resulted in death, injury and damage. Yesterday, as I said, things took a turn even for the worse when Prime Minister Rosny Smarth submitted his citing, in fact, the recent fraudulent elections.

Obviously, this is bad for democracy because at this time it appears that only one major party is participating in the elections, and that is not exactly democratic, but it is also bad for reform in Haiti, because with Prime Minister Rosny Smarth leaving, so goes one of the few champions of the tough but necessary economic program that we had envisioned for Haiti. Economic reform is all but a thing of the past in Haiti anyway, and without economic reform there is absolutely no hope for a Democratic future in Haiti.

So through all of this upheaval, one interesting and frankly disturbing fact seems to have surfaced, and that is the fact that the Haitian National Police have had to be supplemented with our military personnel to deal with basic law and order issues in that country. As one diplomat quoted in a wire report recently, "It is clear the military presence in Haiti is not just building roads." Our "road builders," including Special Forces, have been seen responding to the riots carrying on, doing the law and order business, extensive activity in the areas of drug control, those types of things.

Not only do these reports suggest that our troops on the ground are outside of the range of the mission we understood them to be on, which was road building, but it also suggests that our soldiers are at more risk than we have been led to believe. I think it is time for a little candor from the White House about what is going on.

We asked the White House, what is going on? So far we have not heard anything. Official silence reigns as well on the topic of Haiti's recent disappointing local assembly and Senate elections, which is the real reason behind the Smarth resignation and what should have been the starting point for the creation of a new judicial system and permanent electoral council forum in Haiti, which are mightily needed. Because without a judicial system, there is no hope for democracy in Haiti either.

Because the electoral council has decided not to handle blank ballots properly, they have wrongly allowed some candidates, like the infamous Fourel Celestin, to get past the finish line when according to the law they did not win the election. So we now have people who did not win serving as senators in Haiti.

Action on this issue is pending in the Parliament, but the Haitian electoral council is pushing forward for another round of elections, no matter what, this coming weekend. The fact is that each successive election in Haiti has disenfranchised and disenfranchised ever more of the Haitians voters, a point illustrated well in the single digit turnout in the last election in April, which, as I say, were fraudulent elections. Yet, I understand less than 10 percent of the people turned out to protest that fact.

What, we ask, will another election under a still darker black cloud do to advance democracy in Haiti? At the very least, the American taxpayers have a right to hear from the administration that enough is enough and that their tax dollars will not go to assist the Haitians to run another questionable if not fraudulent election this weekend.

Mr. Speaker, all is not quiet on the southern front. We know that. What we do not know is when the White House is going to tell us what is going on, when our troops are coming home, and whether or not that will be before the ruinous Haiti policy that the White House has put forth puts us back where we started more than 4 years and 3 billion of the U.S. taxpayers' dollars ago, sadly enough, with thousands of Haitians now today who believe that a dangerous trip across the windward passage to Florida offers them more hope than staying in Haiti.

Is that a policy that we want to back? Certainly not. I think it is time for the White House to give us some explanation and to end the silence of what is really going on in that tragic country where our friendly neighbors are suffering. All is not quiet on the southern front.

DETROIT RED WINGS—STANLEY CUP CHAMPIONS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Michigan [Mr. KNOLLENBERG] is recognized during morning hour debates for 5 minutes.

Mr. KNOLLENBERG. Mr. Speaker, at this very hour, thousands of Detroiters are lining the streets of Woodward Avenue in Detroit to honor their Detroit Red Wings, the 1997 Stanley Cup champions. After Saturday's 2 to 1 victory over the Philadelphia Flyers, the Red Wings completed a 4 to 0 sweep to win hockey's hallowed crown, Lord Stanley's Cup, the World champions of hockey.

I was privileged to be at Joe Louis Arena on Saturday evening, and the atmosphere throughout the evening was electric. After the final horn sounded securing the cup victory, the standing room only crowd and fans everywhere rejoiced. There was no other picture that captured the victory better than Red Wing Captain Steve Yzerman circling the ice, holding the massive trophy over his head, sharing the victory

with the screaming fans who have waited 42 years for this glorious moment.

The town, Detroit, the community, the State, were starved for a hockey title. They got it Saturday night. The most successful U.S.-based NHL franchise in history had not sipped from the cup since 1955. And after great seasons in 1994, 1995, and 1996. All ended in disappointing playoff defeats, the Wings fought off the demons and the naysayers skating into hockey lore with Red Wing legends like Gordie Howe, Terry Sawchuck, Ted Lindsey, and many others.

Mr. Speaker, I came to Detroit in the late 1950's, when the Red Wings were a dynasty and hockey was the local religion shared by everyone. They won four Stanley Cup crowns during the 1950's and the expectations were always great. This team and its fans have endured good times and bad times. For years in the mid 1980's, when the Wings were the worst in the league and, in fact, in one season won only 17 games, to the disappointment of the 1995 finals, all that will be swept away today with the parade of victory.

So congratulations go to Scotty Bowman, the coach, to Mike Ilitch and Jimmy Devallano for putting this team together. Congratulations, obviously, to Steve Yzerman, the captain, to the MVP Mike Vernon, to Brendan Shanahan, to the Russian five, and to all members of this great club for laboring through the tough times. And congratulations also to the Red Wings fans who stood behind their team through it all. Together, we have finally done it.

With an international flare, unlike many other teams, the Wings have Americans, Canadians, European, and Russian players. Detroit, with all of this group, has finally returned to hockey's ultimate peak. With the 42-year climb filled with pitfalls and setbacks, now it is finally over. It is time for this team and our fans to enjoy the view, the Stanley Cup. But only for the summer. Next season starts in September, and the Red Wings are for real. Mr. Speaker, it is not called Hockey Town USA for nothing.

HOMELESS VETERANS ASSISTANCE ACT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 21, 1997, the gentleman from Washington [Mr. METCALF] is recognized during morning hour debates for 1 minute.

Mr. METCALF. Mr. Speaker, I am proud to announce that today I, along with the gentleman from Arizona, BOB STUMP, have introduced H.R. 1754, the Robert Stodola Homeless Veterans Assistance Act. The plight of our Nation's homeless has caught the attention of Congress, and many programs are available to help move these people back into society.

Sadly, though, one of the largest elements of the homeless population,

roughly one-third, are short changed each year. These are our country's homeless veterans. For many years, the veterans' share of Federal dollars targeted at our homeless population has been in the single digits. This legislation would ensure a fair share for our veterans, requiring that at least 20 percent of these Federal dollars be spent on programs that primarily benefit homeless veterans.

Mr. Speaker, this legislation is endorsed by the Vietnam Veterans of America, the American Legion, the Non-Commissioned Officers Association of the United States, and the Blind Veterans Association. I would ask my colleagues to cosponsor and support this legislation.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 12 noon today.

Accordingly (at 10 o'clock and 58 minutes a.m.), the House stood in recess until 12 noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 12 noon.

The Chaplain, Reverend James David Ford, D.D., offered the following prayer:

We are grateful, O God, that You point us to a world of justice and You give us a vision of communities where people are treated with respect and mercy. We are also aware that You have created us with minds with which to think, hearts with which to care, and hands with which to work. So remind us, O gracious God, that supplied with Your revelation of the goals of life, we would earnestly use the abilities that You have given us so we are good stewards of the resources of our land and faithful custodians of the responsibilities before us. In Your name, we pray. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Ohio [Mr. TRAFICANT] come forward and lead the House in the Pledge of Allegiance.

Mr. TRAFICANT led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair desires to announce that pursuant to clause 4 of rule I, the Speaker signed the following enrolled bill on Friday, June 6, 1997:

H.R. 1469, an act making emergency supplemental appropriations for recovery from natural disasters, and for overseas peacekeeping efforts, including those in Bosnia, for the fiscal year ending September 30, 1997, and for other purposes.

POLITICS AHEAD OF PEOPLE

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, in January of this year northern Nevada was ravaged by torrential rainstorms and devastating floods. In response to this and other natural disasters, the House and Senate passed legislation providing vital disaster recovery aid, including over 25 million for Nevada alone.

But Mr. Speaker, President Clinton vetoed this legislation yesterday. Why? Because it contains bipartisan provisions that will keep Government from shutting down as it did in 1995. Unfortunately, the President has put politics ahead of people. I am extremely disappointed, Mr. Speaker, that the President has mistakenly chosen partisan politics in a time of such obvious and genuine need for the people of Nevada and the rest of America.

I urge my colleagues to quickly override this veto.

PERSONAL INFORMATION PRIVACY ACT

(Mr. KLECZKA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KLECZKA. Mr. Speaker, last week the gentleman from New Jersey [Mr. FRANKS] and I introduced H.R. 1813, the Personal Information Privacy Act, a bipartisan bill to safeguard individual privacy. This legislation is a companion to the Feinstein-Grassley bill, S. 600. The Kleczka-Franks bill will prevent credit bureaus, Departments of Motor Vehicles and other commercial users, including those using the Internet, from giving out Social Security numbers and other personal information.

A Social Security number alone gives a criminal access to one's medical, financial, credit, and educational records, as many of my constituents have found out the hard way. Thousands of people are victimized every year by identity fraud. In the first 6 months of this fiscal year, the Social Security Administration logged almost 4,900 allegations of Social Security number fraud. That is up from about 2,400 in the entire fiscal year 1996.

I urge my colleagues to sign on as cosponsors of the Personal Information Privacy Act. We owe it to the citizens of this country to protect them from

one of the fastest growing crimes in the country.

PRESIDENT CLINTON PUTS POLITICS OVER PEOPLE ON FLOOD RELIEF LEGISLATION

(Mr. CHABOT asked and was given permission to address the House for 1 minute.)

Mr. CHABOT. Mr. Speaker, yesterday President Clinton sent a callous message to the flood-ravaged American families in the Midwest. Only minutes after receiving the disaster relief bill from Capitol Hill, the President who likes to say that he feels our pain told thousands of flood victims that he was going to veto the bill that would help them rebuild their homes and get on with their lives.

Why did President Clinton veto the legislation? Because the bill contained a provision that would stop him from forcing another Government shutdown. Let me repeat that. The President is withholding aid to thousands of flood victims so that he can reserve the right to once again put thousands and thousands of government employees out of work and bring the work of the Federal Government to a halt.

Despite the fact that the President is a master at spin, Mr. Speaker, I do not think he is going to be able to spin this one much. The American people are going to see through this. It is politics at its worst. Let us get the disaster relief to the people who truly need it.

THE ECONOMY

(Mr. TRAFICANT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TRAFICANT. Mr. Speaker, if this economy is so great, why are American workers losing their jobs? If this economy is so great, why are American workers going bankrupt in record numbers? If that is not enough to massage your Dow Jones, check this out: If this economy is so great, why do many families need three jobs just to pay their bills?

Let us tell it like it is: When you hold this economy to your nose, this economy does not smell so rosy. If there is any consolation to the American workers, I never heard of anyone in America committing suicide by jumping out of a basement window.

I yield back all the propaganda on this great economy.

UNDER THE HEADING: WHERE ARE THEY NOW?

(Mr. GOSS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, since I spoke about Haiti at morning business early today, I have seen still more evidence to suggest that there is a de facto

strong man regime being run in Haiti by former President Aristide, one that functions contrary to and does damage to the embryonic democratic process the United States is supporting there with so many United States tax dollars and so much of our credibility.

International observers and Haitian political parties alike say that the April 6 elections were fraudulent. They were rigged in favor of Aristide, a man who today is sabotaging the economic reform process that is so desperately needed in Haiti, the poorest nation in this hemisphere. Worse still is the fact that all the candidates who are not of Aristide's Famille Lavalas Party are boycotting this Sunday's elections because they are based on a flawed process, as well.

Mr. Speaker, I ask, where are those colleagues today, those champions of Aristide who rallied at the White House to support him when he was President-in-exile? Will they be around to support democracy in Haiti, which is what this is about, rather than restoring a strong man?

IN FAVOR OF A CLEAN SPENDING BILL

(Ms. VELÁZQUEZ asked and was given permission to address the House for 1 minute.)

Ms. VELÁZQUEZ. Mr. Speaker, the Republicans must stop playing politics with the lives of the flood victims of North Dakota and Minnesota. Pass a bill that is disaster relief, plain and simple. Amendments that have nothing to do with disaster relief have no place in a bill designed to bring relief to people in dire need.

Mr. Speaker, I represent a district of hard-working people who live nearly 2,000 miles from the Dakotas, people who now must deal with the so-called immigrant and welfare reforms. My constituents are filled with compassion for those struggling to fulfill the American dream. Their hearts and minds go out to those in need in the Dakotas and Minnesota.

My constituents are outraged that the Republican Party would play politics with people so desperately in need. Shame on them. Pass a clean bill and leave the politics at home.

CONGRATULATING THE LOUISIANA STATE UNIVERSITY MEN'S BASEBALL AND WOMEN'S TRACK AND FIELD TEAMS FOR WINNING NATIONAL CHAMPIONSHIPS

(Mr. MCCRERY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCCRERY. Mr. Speaker, across our Nation this past weekend millions of Americans took part in the weekly ritual of opening their Sunday morning newspaper. For many folks, they first turn to the sports page to get scores or reports on their favorite teams.

But this past Sunday Louisianans did not need to check the papers. In their

homes Saturday they had gathered with purple- and gold-clad friends to watch the LSU Tigers win the College World Series for the second consecutive year and for the fourth time in the 1990's. Along the way, LSU rewrote the record books, hitting more home runs than any other college team in history.

Meanwhile the LSU women's track and field team accomplished what many said could not be done, clinching an 11th consecutive national championship. The championship for the Lady Tigers continued the longest active streak of national championships by any men's or women's program in Division I sports.

If you opened the Sunday paper here in our Nation's Capital this last weekend, there was an entire page with stories about the two championships for LSU. Hard work by athletes and coaches on both LSU teams has produced collegiate sports dynasties and has instilled pride in the hearts of Tiger alumni across America. I join the citizens of Louisiana in saying congratulations and thank you to Coach Skip Bertman and his LSU men's baseball team and to Coach Pat Henry and the women's track and field team. Keep going, Tigers.

H.R. 1822, THE STATE INFRASTRUCTURE BANKS FOR SCHOOLS ACT OF 1997

(Mrs. TAUSCHER asked and was given permission to address the House for 1 minute.)

Mrs. TAUSCHER. Mr. Speaker, last week I introduced House Resolution 1822, the State Infrastructure Banks for Schools Act, along with 31 Members from both parties. This is a cost-effective approach to help schools prepare our kids for the 21st century workplace.

We are all familiar with the estimated \$112 billion tax dollar price tag to improve school infrastructure. But we now know that a direct correlation exists between the condition of school facilities and the students' achievement. That is right, our kids' grades are affected by the condition of their schools. It is difficult to learn when the roof is leaking or blackouts occur if too many computers are turned on.

H.R. 1822 addresses these problems by funding State Infrastructure Banks, or SIBs, for school construction. These banks provide maximum flexibility in financing and minimal restrictions regarding project approval. As loans are repaid, banks could provide assistance to projects in other schools. Although this is an innovative approach, similar programs have been used for Clean Water Act infrastructure, making improvements more affordable and widely available.

Mr. Speaker, we need to educate our kids in a stable and supportive environment. I urge my colleagues to cosponsor H.R. 1822.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1559

Mrs. EMERSON. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor from H.R. 1559.

The SPEAKER pro tempore (Mr. CALVERT). Is there objection to the request of the gentlewoman from Missouri?

There was no objection.

THE 1997 BUDGET

(Mr. BOB SCHAEFFER of Colorado asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOB SCHAEFFER of Colorado. Mr. Speaker, for 40 years Congress was in the hands of liberal Democrats who succeeded brilliantly in accomplishing two things. First, they made absolutely sure that, come rain or shine, Government would keep getting bigger and bigger year after year. Second, they made absolutely sure that, come rain or shine, Government would take more and more of your money year after year.

For the great middle class, playing by the rules and paying taxes, big government liberalism soon became the No. 1 obstacle standing in the way of their hopes and dreams. It is time for change. It is hard to save for your future when Government pursues policies that punish saving. It is hard to pass on the family farm or the family business to your children when the Government hits you with a death tax that the children are unable to pay.

□ 1215

It is hard to believe in the American dream anymore when the Government leaves future generations a legacy of more debt and higher taxes.

Fortunately, Mr. Speaker, the 1997 budget finally puts an end to 40 years of expanding Government and endless taxation. This Congress should stand squarely behind the balanced budget.

THE AMERICAN PUBLIC OVER- WHELMINGLY OPPOSED TO MFN

(Mr. WOLF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WOLF. Mr. Speaker, I rise today to encourage all Members of this body to read the poll in today's Wall Street Journal.

By an overwhelming margin, 67 percent of Americans polled by NBC News and the Wall Street Journal said that the United States should demand improvements in China's human rights if China wants to continue its current trading status of MFN; 67 percent.

Among men, the percentage who favor human rights improvement before MFN was renewed was 63 percent. Among women, the percentage was a staggering 70 percent. And I say regarding my side, we are concerned about the gender gap. If we want to see

a gender gap, 70 percent of the American women favor linking trade and MFN.

No matter whether we break it down according to party affiliation, income, or age, the results are still the same: 60 to 70 percent favor demanding improvements in China's human rights record before renewing MFN. Republicans polled, 61 percent; Democrats, 73 percent. Of those earning \$50,000 or more, 63 percent favor human rights; 76 percent of those earning less than \$20,000 favored human rights improvements.

The American people want the Congress to send a message about human rights. They want to send a message about the Catholic priests, the Protestant pastors, the Buddhist monks, and the Muslims being persecuted. I urge this Congress to send a message to the Chinese people. Vote to deny MFN.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. CALVERT). Pursuant to the provisions of clause 5 of rule I, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 4 of rule XV.

Such rollcall votes, if postponed, will be taken after debate has been concluded on all motions to suspend the rules but not before 2 p.m. today.

EXTENDING DEADLINE FOR AUSABLE HYDROELECTRIC PROJECT IN NEW YORK

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 848) to extend the deadline under the Federal Power Act applicable to the construction of the AuSable hydroelectric project in New York, and for other purposes.

The Clerk read as follows:

H.R. 848

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF DEADLINE.

(a) PROJECT NUMBERED 10836.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to the Federal Energy Regulatory Commission project numbered 10836-000NY, the Commission shall, at the request of the licensee for the project, and after reasonable notice, in accordance with the good faith, due diligence, and public interest requirements of that section and the Commission's procedures under that section, extend the time period during which the licensee is required to commence the construction of the project, under the extension described in subsection (b), for not more than 3 consecutive 2-year periods.

(b) EFFECTIVE DATE.—This subsection shall take effect on the date of the expiration of the extension of the period required for commencement of construction of the project described in subsection (a) that the Commission issued, prior to the date of enactment of

this Act, under section 13 of the Federal Power Act (16 U.S.C. 806).

(c) REINSTATEMENT OF EXPIRED LICENSE.—If the license for the project referred to in subsection (a) has expired prior to the date of enactment of this Act, the Commission shall reinstate the license effective as of the date of its expiration and extend the time required for commencement of construction of the project as provided in subsection (a) for not more than 3 consecutive 2-year periods, the first of which shall commence on the date of such expiration.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado [Mr. DAN SCHAEFER] and the gentleman from Texas [Mr. HALL] each will control 20 minutes.

The Chair recognizes the gentleman from Colorado [Mr. DAN SCHAEFER].

Mr. DAN SCHAEFER of Colorado.

Mr. Speaker, I yield myself 5 minutes.

(Mr. DAN SCHAEFER of Colorado asked and was given permission to revise and extend his remarks.)

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, under section 13 of the Federal Power Act, project construction must begin within 4 years of issuance of a license. If construction has not begun by that time, the Federal Energy Regulatory Commission cannot extend the deadline and must terminate that license.

H.R. 848 and H.R. 1184 provide for extensions for the construction deadline if the sponsor pursues the commencement of construction in good faith and with due diligence. H.R. 1217 provides additional time to complete construction of a project.

These types of bills have not been controversial in the past. The bills do not change the license requirements in any way and do not change environmental standards but merely extend construction deadlines. There is a time in which we have to act, since construction deadlines for one project expired in February and the others expire in the coming months. If Congress does not act, the FERC will terminate the licenses, the project sponsors will lose millions of dollars that they have invested in these projects, and communities will lose the prospect of significant job creation and added revenues.

I should also note that the bills incorporate the views of the Federal Energy Regulatory Commission. The Energy and Power Subcommittee solicited the views of FERC, and the agency does not oppose any of the three bills we have up today.

I would like to briefly describe the first of the bills, H.R. 848. It is a bill to extend the deadline for commencement of construction of a hydroelectric project in the State of New York. The AuSable project is very important to the village of Keeseville. The Prescott Mill hydropower project was the symbolic heart of the community and the major employee in Keeseville from 1832 until the 1960's. The demise of Prescott Mill in the 1960's caused economic hardship in the village that can be felt today.

Redevelopment of the project will provide a badly needed boost to an area

that is going through some very hard times. Jobs are important everywhere, we all know that, but especially in Keeseville, whose unemployment is nearly 18 percent. The Prescott Mill project would permit the village to attract more businesses, provide 35 temporary jobs during construction and 75 permanent jobs. There is extensive support in the village of Keeseville for this particular project.

There is a need to act on H.R. 848 in a timely manner, since the construction deadline expired last February.

Mr. Speaker, I ask that Members support H.R. 848 for the people in Keeseville, NY.

Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Texas. Mr. Speaker, I yield myself such time as I may consume.

(Mr. HALL of Texas asked and was given permission to revise and extend his remarks.)

Mr. HALL of Texas. Mr. Speaker, as the gentleman from Colorado has pointed out, H.R. 848 would authorize FERC to extend the deadline for commencement of construction of the 800-kilowatt AuSable project to be located in New York.

Mr. Speaker, FERC of course has the authority to extend the initial deadline but for no longer than 2 years. If additional time is needed, Congress can enact legislation to extend that deadline.

I think I should also point out that it is not without warranted reason that these hydroelectric projects are in need of license extensions. In the case of the project in New York, it is very difficult to find a sponsor to secure financing until it has a power sales contract in hand. Generally a licensee cannot secure a contract until it has been granted a license. These circumstances make it critical for a construction license to be granted.

There is no one opposed to it. It is an easy bill with no objection from FERC. I strongly urge my colleagues to join me in voting "yes" on H.R. 848.

Mr. HALL of Texas. Mr. Speaker, I yield back the balance of my time.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado, Mr. DAN SCHAEFER, that the House suspend the rules and pass the bill, H.R. 848.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and insert extraneous material on H.R. 848, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

EXTENDING DEADLINE FOR BEAR CREEK HYDROELECTRIC PROJECT IN WASHINGTON

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1184) to extend the deadline under the Federal Power Act for the construction of the Bear Creek hydroelectric project in the State of Washington, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1184

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF DEADLINE.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to Federal Energy Regulatory Commission project numbered 10371, the Commission may, upon the request of the project licensee, in accordance with the good faith, due diligence, and public interest requirements of that section and the Commission's procedures under that section, extend the time period during which the licensee is required to commence construction of the project for not more than 3 consecutive 2-year periods.

(b) APPLICABILITY.—The extension under subsection (a) shall take effect for the project upon the expiration of the extension, issued by the Commission under section 13 of the Federal Power Act (16 U.S.C. 806), of the period required for commencement of construction of the project.

(c) REINSTATEMENT OF EXPIRED LICENSE.—If the license for the project referred to in subsection (a) has expired prior to the date of enactment of this Act, the Commission shall reinstate the license effective as of the date of its expiration and extend the time required for commencement of construction of the project as provided in subsection (a) for not more than 3 consecutive 2-year periods, the first of which shall commence on the date of such expiration.

SEC. 2. REENACTMENT OF SENTENCE IN SECTION 6.

Section 6 of the Federal Power Act (16 U.S.C. 799) is amended by adding the following sentence (deleted by section 108(a) of the General Accounting Office Act of 1996 (Public Law 104-316)) at the end thereof: "Licenses may be revoked only for the reasons and in the manner prescribed under the provisions of this Act, and may be altered or surrendered only upon mutual agreement between the licensee and the Commission after thirty days' public notice."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado, Mr. DAN SCHAEFER and the gentleman from Texas, Mr. HALL each will control 20 minutes.

The Chair recognizes the gentleman from Colorado, Mr. DAN SCHAEFER.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield myself 5 minutes.

(Mr. DAN SCHAEFER of Colorado asked and was given permission to revise and extend his remarks.)

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, H.R. 1184, as amended, au-

thorizes the Federal Energy Regulatory Commission to extend the deadline for commencement of construction of the Bear Creek hydroelectric project in the State of Washington.

The reason for this legislation is the same as with other hydroelectric license extension bills. The onset of intense competition in the electric industry is driving utilities to lower their costs and avoid making long-term commitments. As hydroelectric projects are typically financed through long-term power sales contracts, it has been difficult for many project developers to secure financing to construct licensed projects.

There is a need to act on this legislation in a very timely manner, since the construction deadline expired on December 9, 1997. I should note that H.R. 1184 does not ease the environmental requirements of the license but merely extends the construction deadline.

H.R. 1184, as amended, also would restore a sentence in the Federal Power Act that was erroneously deleted by the General Accounting Office Act of 1996. In the last Congress, both the National Defense Authorization Act and the General Accounting Office Act provided for the deletion of the last sentence of section 6 of the Federal Power Act. The intent of both laws was to strike a requirement that the FERC would file all issued hydropower licenses with the General Accounting Office.

However, since the National Defense Authorization Act was enacted first, the General Accounting Office Act erroneously deleted the next-to-last sentence of section 6 of the Federal Power Act which addressed the authority of FERC to revoke hydropower licenses. H.R. 1184 would restore this sentence to the Federal Power Act.

The Federal Energy Regulatory Commission has no objection to this particular legislation and I urge the support of 1184, as amended.

Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Texas. Mr. Speaker, I yield myself such time as I may consume.

(Mr. HALL of Texas asked and was given permission to revise and extend his remarks.)

Mr. HALL of Texas. Mr. Speaker, I rise today in support of H.R. 1184, introduced by my colleague, the gentleman from Washington [Mr. METCALF]. The bill allows the Federal Energy Regulatory Commission to extend the deadline under the Federal Power Act for the construction of the Bear Creek hydroelectric project in Washington State.

I have had the pleasure of working with the gentleman from Washington, a noted author and a very respected Member of this Congress. I have sat in on many financial meetings with him and have the highest regard for him. He has done a good job on H.R. 1184. It allows FERC simply to extend the commencement of construction for the

project for not more than three consecutive 2-year periods.

This extension bill faces no opposition. In keeping with the practice of granting license extensions, H.R. 1184 is a noncontroversial, easy yes vote, and I strongly urge my colleagues to vote in favor of H.R. 1184.

Mr. Speaker, finally, I wish to thank the gentleman from Colorado, and I certainly want to thank the gentleman from Washington for bringing this important legislation to the floor.

Mr. Speaker, I yield back the balance of my time.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield such time as he may consume to the gentleman from Washington [Mr. METCALF].

Mr. METCALF. Mr. Speaker, I would like to take this opportunity to thank the chairman, the gentleman from Virginia, Mr. BLILEY, and the subcommittee chairman, the gentleman from Colorado, Mr. DAN SCHAEFER, for considering the next two bills, H.R. 1184 and H.R. 1217, and I appreciate their willingness to work with me on renewing these projects. These are important projects to my district.

The project is located in Skagit County and will result in no new or increased budget authority or tax expenditures or revenues. This facility has operated from 1906 to 1969 when it ceased operation. FERC issued a construction license in 1993 which will expire December 10, 1997. This bill will extend the deadline for the commencement of construction for three, 2-year periods. Such an extension is common on projects where construction has been delayed due to factors outside of the licensee's control. For example, to date, construction has not commenced because of a lack of a power purchase agreement to support project construction financing. As a result of destabilization of the electricity industry and spot prices and, therefore, a market condition such that no power sales contract can be executed.

The legislation provides for up to three consecutive, 2-year extensions, instead of a 6-year extension, to assure that the licensee must continue to meet the section 13 requirement that it prosecute each 2-year extension. If FERC determines the licensee is not acting in good faith, it is expected that FERC will refuse to grant a request for an extension for an additional 2-year extension.

This project has received no challenges and has been determined environmentally sound and nonthreatening by all applicable local, State, and Federal agencies. The Bear Creek facility is located entirely on private property.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado, Mr. DAN SCHAEFER, that the House suspend the rules and pass the bill, H.R. 1184, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and insert extraneous material on H.R. 1184, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1559

Mrs. LINDA SMITH of Washington. Mr. Speaker, I request my name be removed as cosponsor of H.R. 1559.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

EXTENDING DEADLINE FOR HYDROELECTRIC PROJECT IN WASHINGTON STATE

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1217) to extend the deadline under the Federal Power Act for the construction of a hydroelectric project located in the State of Washington, and for other purposes.

The Clerk read as follows:

H.R. 1217

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. EXTENSION OF DEADLINE.

(a) IN GENERAL.—Notwithstanding the time period specified in section 13 of the Federal Power Act (16 U.S.C. 806) that would otherwise apply to Federal Energy Regulatory Commission project numbered 10359, the Commission shall, at the request of the project licensee, extend the time period during which the licensee is required to complete construction of the project to May 4, 2004.

(b) REPORTS.—The licensee for the project described in subsection (a) shall file with the Federal Energy Regulatory Commission, on December 31 of each year until construction of the project is completed, a report on the status of the project.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Colorado, Mr. DAN SCHAEFER, and the gentleman from Texas Mr. HALL, each will control 20 minutes.

The Chair recognizes the gentleman from Colorado Mr. DAN SCHAEFER.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield myself 5 minutes.

(Mr. DAN SCHAEFER of Colorado asked and was given permission to revise and extend his remarks.)

□ 1230

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, H.R. 1217 would direct the Federal Energy Regulatory Commission to extend the deadline for the completion of construction of the Youngs Creek hydroelectric project in the State of Washington. The commencement of construction of this

project was initiated in a timely manner, and the project developer expended about 25 percent of total project cost, which is \$5.3 million. However, the developer has been unable to secure financing to complete project construction due to uncertainties in the electric industry.

H.R. 1217 extends the deadline for the completion of construction until May 4, 2004. As is the case with others, the extension under the bill does not change or alter the environmental requirements in any way. The Federal Energy Regulatory Commission has no objection to this legislation. I would urge support of H.R. 1217.

Mr. Speaker, I reserve the balance of my time.

Mr. HALL of Texas. Mr. Speaker, I yield myself such time as I may consume.

(Mr. Hall of Texas asked and was given permission to revise and extend his remarks.)

Mr. HALL of Texas. Mr. Speaker, I rise today in support of H.R. 1217, which, like the previous bill, was introduced by the gentleman from Washington [Mr. METCALF], my good friend. This bill is exactly like the previous non-controversial hydroelectric project extension, but it is very important to the gentleman from Washington [Mr. METCALF] and is important to his district and his State.

As proven in the past, congressional extension legislation has been non-controversial and without opposition from FERC. This practice holds true with H.R. 1217. These are easy yes votes, and I strongly urge my colleagues to join in supporting the gentleman from Washington [Mr. METCALF] in H.R. 1217.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield myself such time as I may consume.

I would also like to congratulate the gentleman from Washington [Mr. METCALF] for his excellent work on these last two bills. I know it is very, very important to the State of Washington, his district.

Mr. METCALF. Mr. Speaker, the project is located in Snohomish County and will result in no new or increased budget authority or tax expenditures or revenues. This facility has 25 percent of the total cost—\$5 million—already invested in construction, and this legislation will extend the time to complete construction for an additional 6 years from May 4, 1998, to May 4, 2004. Two of those years will be consumed by actual construction needed to complete the project.

This legislation will assure that the site is preserved for final construction. This is especially important because construction has already begun although a power sales agreement was not obtained. There is precedent for FERC to grant commencement extensions when construction has been delayed due to market conditions that are such that no power sales contract can be executed. For example, to date, construction has commenced although has been halted because of a lack of a power purchase agreement to support project construction financing. As a result of destabilization of the electricity industry and spot prices

and, therefore, a market condition such that no power sales contract can be executed.

Again, the legislation provides for a 6-year construction extension. This is not an unreasonable request for a project already under construction. This project has received no challenges and has been determined environmentally sound and nonthreatening by all applicable local, State, and Federal agencies.

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Colorado, Mr. DAN SCHAEFER, that the House suspend the rules and pass the bill, H.R. 1217.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill H.R. 1217 was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DAN SCHAEFER of Colorado. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1217, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

RELATING TO 30TH ANNIVERSARY OF REUNIFICATION OF THE CITY OF JERUSALEM

Mr. GILMAN. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 60) relating to the 30th anniversary of the reunification of the city of Jerusalem.

The Clerk read as follows:

H. CON. RES. 60

Whereas for 3,000 years Jerusalem has been the focal point of Jewish religious devotion;

Whereas Jerusalem today is also considered a holy city by members of the Christian and Muslim faiths;

Whereas there has been a continuous Jewish presence in Jerusalem for three millennia and a Jewish majority in the city since the 1840's;

Whereas the once thriving Jewish majority of the historic Old City of Jerusalem was driven out by force during the 1948 Arab-Israeli War;

Whereas from 1948 to 1967 Jerusalem was a divided city and Israeli citizens of all faiths as well as Jewish citizens of all states were denied access to holy sites in the area controlled by Jordan;

Whereas in 1967 Jerusalem was reunited by Israel during the conflict known as the Six Day War;

Whereas since 1967 Jerusalem has been a united city, and persons of all religious faiths have been guaranteed full access to holy sites within the city;

Whereas this year marks the 30th year that Jerusalem has been administered as a unified city in which the rights of all faiths have been respected and protected;

Whereas in 1990 the United States Senate and House of Representatives overwhelmingly adopted Senate Concurrent Resolution

106 and House Concurrent Resolution 290 declaring that Jerusalem, the capital of Israel, "must remain an undivided city" and calling on Israel and the Palestinians to undertake negotiations to resolve their differences;

Whereas Prime Minister Yitzhak Rabin of Israel later cited Senate Concurrent Resolution 106 as having "helped our neighbors reach the negotiating table" to produce the historic Declaration of Principles on Interim Self-Government Arrangements, signed in Washington, D.C. on September 13, 1993; and Whereas the Jerusalem Embassy Act of 1995 (Public Law 104-45), which became law on November 8, 1995, states as a matter of United States policy that Jerusalem should remain the undivided capital of Israel: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That the Congress—

(1) congratulates the residents of Jerusalem and the people of Israel on the 30th anniversary of the reunification of that historic city;

(2) strongly believes that Jerusalem must remain an undivided city in which the rights of every ethnic and religious group are protected as they have been by Israel during the past 30 years;

(3) calls upon the President and the Secretary of State to affirm publicly as a matter of United States policy that Jerusalem must remain the undivided capital of the State of Israel; and

(4) urges United States officials to refrain from any actions that contradict this policy.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York [Mr. GILMAN] and the gentleman from Indiana [Mr. HAMILTON] each will control 20 minutes.

The Chair recognizes the gentleman from New York [Mr. GILMAN].

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume.

(Mr. Gilman asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Speaker, I rise in strong support of House Concurrent Resolution 60, legislation that I sponsored with our colleague from New York, Mr. SCHUMER, which commemorates the 30th anniversary of the reunification of Jerusalem.

I want to thank the gentleman from New York [Mr. SCHUMER] for his leadership on this issue and commend him for his steadfast commitment to Israel and Jerusalem. I also want to commend our ranking minority member, the gentleman from Indiana [Mr. HAMILTON], for his support of this legislation.

The legislation before us today reinforces the strong relationship between the American people and the nation of Israel. From Israel's independence in 1948 until the miraculous reunification of Jerusalem in 1967's Six-Day War, Jerusalem was a divided city and Israeli citizens of all faiths, as well as Jewish citizens of all states, were denied access to holy sites in the area, which was controlled by Jordan. The once thriving Jewish majority of the historic Old City of Jerusalem was driven out by force in 1948, not to return again for 19 long years.

Despite the more than 3,000 years of Jewish residency in Jerusalem, Jews were once again cast out from King David's capital by overwhelming force.

Once Jerusalem was one city again, the Israeli Government took important steps to guarantee freedom of religious access, not only to the Jews who had been denied their holy sites all those years, but also for Christians and Muslims. With the reunification of the city under Israel's jurisdiction, persons of all religious faiths have been guaranteed full access to their holy sites in Jerusalem.

Congress, in its role as the representative of the American people, has stated its support for Jerusalem as the capital of Israel on numerous occasions. We believe that Jerusalem must remain an undivided city forever. Indeed, the landmark legislation which became law in 1995, the Jerusalem Embassy Relocation Act, states these beliefs as a matter of U.S. policy.

Mr. Speaker, House Concurrent Resolution 60 congratulates the residents of Jerusalem and the people of Israel on the 30th anniversary of the reunification of that historic city; reiterates the belief that Jerusalem must remain an undivided city in which the rights of every ethnic and religious group are going to be protected as they have been by Israel during the past 30 years. It also calls upon the President and the Secretary of State to affirm publicly as a matter of United States policy that Jerusalem must remain the undivided capital of the State of Israel; and urges United States officials to refrain from any actions that contradict this policy.

Mr. Speaker, I urge my colleagues' strong support for this important measure.

Mr. Speaker, I do not have any further requests for statements. I would like to thank the Speaker, the gentleman from Georgia [Mr. GINGRICH], for his special interest in this resolution, as well as the balance of the leadership on both sides of the aisle for their support of the resolution.

Mr. Speaker, I reserve the balance of my time.

GENERAL LEAVE

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Concurrent Resolution 60.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume.

I would like to note that the legislative business on suspensions will be concluded with the adoption of this resolution and that any Members having amendments with regard to the State Department authorization measure are urged to come to the floor at this time.

Mr. HAMILTON. Mr. Speaker, I yield myself such time as I may consume.

I am going to rise in opposition to House Concurrent Resolution 60 relating to the 30th anniversary of the reunification of the city of Israel. I do so

reluctantly because I support the unity of the city of Jerusalem. I also value the many positive contributions Israel has made in and to Jerusalem over the last three decades.

I believe that it is critical for the United States to refrain from any actions that undermine the unity of this city which is holy for Jews, Muslims, and Christians. I also believe that the United States should eventually move its embassy in Israel to Jerusalem, which Israel considers its capital.

I regret that the Committee on International Relations was given no opportunity to consider this resolution before the House took it up under this suspension, where amendments are not possible. A single change to the language of the resolution would have gained my support and that of others who support the unity of Jerusalem, but also support forward progress in the Middle East peace process and oppose unnecessarily provocative actions to or by any of the parties to that process.

It would be totally consistent with U.S. policy to say that Jerusalem must remain an undivided city. It would even be acceptable to describe Jerusalem as Israel's capital and then state, as did House Concurrent Resolution 290, which this resolution cites, that it should remain an undivided city.

However, it is not consistent with United States policy articulated over several decades under several administrations of both parties to state, as this resolution does, that Jerusalem must remain the undivided capital of the State of Israel.

Taking such action at this time also hurts U.S. policy more immediately and directly. It will make it more difficult to get an already stalled peace process back on track.

I oppose the resolution at this time for three reasons. First, I do not think it is in the U.S. national interest to take any action that could hinder the peace process or the ability of the United States to continue to play an indispensable role in that process. We need to preserve our role as trusted intermediary, particularly now that we are moving toward permanent status negotiations in which Jerusalem will be a subject.

The United States has a vital interest in seeing the peace process move forward. Such forward movement is not likely to occur if we do serious damage to the critical U.S. role. We cannot preserve this role if the Congress succeeds in its attempt to force a U.S. policy that prejudices an issue as contentious as the final status of Jerusalem, an issue which the Declaration of Principles, signed by both parties in 1993, states will be determined by the parties to the conflict in their final status negotiations.

Second, the issue of Jerusalem has been left for the final status negotiations because of the strong emotion it engenders, because of the controversy it promotes, and because of the need to

build confidence among the parties in any proposed solution of the Jerusalem issue. That confidence does not exist among the parties today. This resolution is another unilateral action that can make it more difficult to prepare for the key final status talks.

Finally, I think we need to view this suspension resolution, House Concurrent Resolution 60, together with the other provisions relating to the Middle East that are being discussed and will be voted upon when H.R. 1757, the State Department authorization bill, comes before the House for further consideration later today.

In addition to this resolution on Jerusalem, that bill contains additional problematic language on Jerusalem. We also will vote today on amendments with respect to Syria, actions by the Palestinian Authority with which we disagree, and a possible amendment on reducing aid to Egypt. Each of these amendments has some merit. I agree with much of what they say, but their cumulative effect is to have the United States appear very one-sided on matters where our continued ability to be trusted by all parties is critical.

So, Mr. Speaker, while I join my colleagues in saluting and celebrating a united Jerusalem, I cannot support this resolution at this time. I have, of course, no doubt about the strong support for the resolution. I just think it is appropriate for a few of us to speak out for a nearly 50-year-old American policy in the Middle East, a policy supported by 10 successive Presidents, that has served the Nation and the Middle East well.

□ 1245

I urge my colleagues not to make a difficult peace process even more difficult. I would urge a no vote on House Concurrent Resolution 60.

Mr. Speaker, I reserve the balance of my time.

Mr. GILMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this legislation with regard to the reunification of Jerusalem has been considered and adopted by the House in prior years, so its consideration should not be considered controversial. President Clinton has stated his support for an undivided Jerusalem. Since the onset of the peace process in 1992, Congress has gone on record on this issue on several occasions. Accordingly, this should not be seen as impairing the peace process. It has not stopped the negotiations from going forward, even when we adopted the Jerusalem Embassy Relocation Act.

Accordingly, I urge our colleagues to support this legislation.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York [Mr. SCHUMER], the original sponsor of this measure.

Mr. SCHUMER. Mr. Speaker, I thank the gentleman from New York [Mr. GILMAN] for yielding me this time and for his leadership on this issue; I thank the ranking member, even though we disagree, for his consideration.

Mr. Speaker, just 30 years ago, Jerusalem was a city divided, divided by barbed wire, divided by faith and divided by violence. In 1948, Jews, who have looked to Jerusalem for 3 millennia as their holy place, were systematically expelled from their holy city. The houses of worship were destroyed, the cemeteries were desecrated. Gravestones served as roads for construction in the city. The most holy of religious sites, the Western Wall, was used ignominiously as a garbage dump. Jews from around the world were unable to worship at their holiest of holy sites.

At the time, the free world rightly declared this heinous act of war illegal but did nothing, absolutely nothing, to change it. Thirty years ago all that changed. Jerusalem was liberated. Jews from around the world could once again pray in Jerusalem. Today Jerusalem is a city reunited, united in geography, united in respect for faith and united in search for peace.

Since 1967, Jerusalem has been the united sovereign capital of Israel, which no Israeli Government, Labor or Likud, would ever agree to divide. There are many issues that divide the Jewish community these days, both here in America and in Israel. This is not one of them. I say to my colleagues that Jewish citizens of America, Jewish citizens of Israel are virtually unanimous in the view that Jerusalem should remain the undivided capital.

I remind Members that under the last 30 years, the holy sites of all three great religions have been open to those who wish to pay their respects and pray there, unlike the period of 1948 to 1967.

In my judgment, the Palestinian Authority has no claim on Jerusalem, not only in fact and in history but because of what they did between 1948 and 1967. They lost it. To make the Wailing Wall a garbage dump? That is absolutely disgraceful and an abomination.

So over the years, recognizing that Congress has affirmed the policy that Jerusalem remain the undivided capital of Israel through numerous resolutions and laws, but never has it been more important that the United States speak with one voice to make the policy clear, that Jerusalem is and will always be the undivided capital of Israel. We in the U.S. House of Representatives understand the significance of Jerusalem to the Jewish people. Today, like Jerusalem, we stand united in congratulating the people of Jerusalem on the 30th anniversary of their city's reunification, united in commending Israel for guaranteeing the right of people of all faiths, Jewish, Christian, Muslim, to pray at their holy sites, united that this holy city never be divided again.

Mr. Speaker, I am proud to offer this resolution today to congratulate the people of Jerusalem on the 30th anniversary of their city's reunification, to say that it is my belief that the United States ought to stand foursquare behind that reunification and not do anything, anything at all, to undercut the

fact that we will stand by Israel in its goal to keep Jerusalem united and prevent it from being divided. I say to those who do not believe that, that the peace process in my judgment, if it is based on the view that it ultimately must have a divided Jerusalem, will ultimately fail, and we ought to affirm that now and forever and once and for all.

Mr. Speaker, for 3,000 years, since the destruction of the second temple, the people of Jerusalem and world Jewry have said the following: "Jerusalem, if I forget thee, let my right hand be severed." We will never forget Jerusalem, and we are here to celebrate its permanent reunification.

Mr. GILMAN. Mr. Speaker, I want to thank the gentleman from New York [Mr. SCHUMER] for his leadership on this issue and for his very eloquent words in support of the resolution.

Mr. Speaker, I yield such time as he may consume to the gentleman from Florida [Mr. GOSS], the distinguished former chairman of our House Intelligence Committee.

(Mr. GOSS asked and was given permission to revise and extend his remarks.)

Mr. GOSS. Mr. Speaker, I rise in strong support of this resolution. I believe it is extremely appropriate that we tell the world that we are happy to celebrate this occasion and that we are still committed very much to overseeing our responsibilities toward peace in the area.

I take the view that we are in the business here of underscoring our commitment to the peace process. I do not believe that one can raise the issue of Mideast geopolitics without somehow conveying the idea that there is controversy. But I think that the issue before us is without controversy. It is on the suspension calendar, and I think it is merely a question of acknowledging the leadership of those who have made this possible to come before us. I associate myself with the distinguished remarks of the gentleman from New York, who I think put them so eloquently. I would suggest that to fail to pass this today would send a very bad message. On the other hand it deserves our unanimous support. I congratulate the distinguished chairman for bringing this to our attention.

Mr. HAMILTON. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New York [Mrs. LOWEY].

Mrs. LOWEY. Mr. Speaker, I rise today in strong support of this resolution congratulating the Israeli people on the 30th anniversary of the reunification of Jerusalem. Today we in this House reaffirm our commitment to Jerusalem as the unified capital of Israel now and forever. It is especially fitting that we rise today to celebrate the Israeli capital as the people of the Middle East are struggling to bring peace to the region.

In these difficult times it is critical that we show our support for a safe and secure Israel, with Jerusalem as its un-

divided capital. Jerusalem has been and must remain a center of ethnic and religious diversity where individual rights of worship are respected and protected. Torn apart by war for almost two decades, Jerusalem was united as the capital of the State of Israel 30 years ago and so it shall remain. I commend my colleagues for bringing this important resolution to the floor, and I urge its passage.

Mr. HAMILTON. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I simply wanted to point out that the Department of State opposes this resolution. It opposes it on constitutional foreign policy and operational grounds. Quoting from their memoranda,

The intent of this legislation is to force the administration to recognize Jerusalem as part of the territory of the State of Israel and indeed as the capital of the State of Israel. Our view of Jerusalem is guided by the Declaration of Principles, Oslo I, in which the two sides agreed that Jerusalem will be addressed in permanent status negotiations.

Our objection to this bill is based on our long-standing policy toward Jerusalem and on the fact that this provision raises serious constitutional issues because it purports to limit the President's exclusive authority to conduct the Nation's diplomatic relations and others.

The point simply is that this resolution does not state American policy in the Middle East as it has been for many, many years, supported by 10 Presidents. Members should be aware of the fact that when they vote for this, for all kinds of good reasons, they are nonetheless departing from the U.S. position on the Middle East peace process that has served this Nation and served the Middle East, I think, very well for many years.

Mr. GEPHARDT. Mr. Speaker, I am proud to be an original cosponsor of House Concurrent Resolution 60, and I urge its adoption by the House of Representatives.

Two years ago, I joined many others in the Capitol rotunda to commemorate the 3,000th anniversary of the founding of the city of Jerusalem. It is in the spirit of that powerful ceremony, and in the spirit of Jerusalem itself, that I rise today in support of this resolution.

There is no question that Jerusalem is among the most important sites of modern civilization—a triumph of faith and freedom not just for the Jewish people, but for all people. And although people have fought over Jerusalem for thousands of years, today it stands as a city of peace, in which different races and religious faiths live together.

That is why Jerusalem should remain an undivided city, and be recognized as the capital of Israel. After all, Jerusalem embodies the very notions of liberty, justice, and freedom from persecution upon which Israel was founded. And it is only fitting that the holiest city in the world be celebrated as the center of the Jewish people, who have strived for so long simply to be able to express their faith freely and openly. That's why I supported and Congress passed legislation in 1995 to move the United States Embassy in Israel to Jerusalem.

Today's resolution reiterates the message we delivered in 1995 and which the Congress has expressed in prior years. We must be

clear, however, that it is not enough simply to celebrate the past 3,000 years of Jerusalem's existence, or its past 30 years as an undivided city. We must seek to keep Israel and Jerusalem strong for the next 3,000 years. That's part of what the Middle East peace process is all about—and what the United States' unwavering support for Israel is all about.

In closing, I congratulate the residents of Jerusalem and the people of Israel on the 30th anniversary of that city's reunification, and I urge my colleagues to support this resolution.

Mr. GINGRICH. Mr. Speaker, I rise today to express my strong support for House Concurrent Resolution 60, congratulating the people of Israel on the 30th anniversary of the reunification of the city of Jerusalem.

It has been 30 years since Israel in the course of the 6-day war reunified the city of Jerusalem and opened its holy sites to people of all faiths. It has also been the policy of the United States ever since the historic reunification of this most holy city that it should never again be divided.

As a nation, one of our most fundamental principles is the principle of freedom of religion. With this vote, we in Congress reaffirm our belief that an undivided Jerusalem is integral to maintaining the rights of every ethnic and religious group in the city of Jerusalem, and we recognize and commend the people of Israel for protecting this right over the past 30 years.

I would also like to again urge the President and the Secretary of State to affirm publicly what we in Congress have consistently voiced for many years, that Jerusalem is the Capital of Israel. I also call on the President to move forward at this time with the selection of a site for the new American Embassy in Jerusalem.

Mr. BRADY. Mr. Speaker, today I rise in support of House Concurrent Resolution 60. I am pleased to support this resolution which congratulates the residents of Jerusalem and the people of Israel on the 30th anniversary of the reunification of Jerusalem, calls upon the President and the Secretary of State to publicly affirm—as a matter of U.S. policy—that Jerusalem must remain the undivided Capital of Israel, and urges U.S. officials to refrain from any actions that contradict this policy.

For three thousand years, Jerusalem has been the religious, spiritual, and cultural center of the Jewish people. It is also important to note that Jerusalem has sites that are also important to other religious faiths. Furthermore, during the period 1949–1967, the eastern part of Jerusalem was under Jordanian control and people of all faiths were denied access to their holy sites. However, since Jerusalem was reunited in 1967, it has been a city open to people of all religions.

In addition to House Concurrent Resolution 60, the House is also considering another important piece of legislation, the Foreign Relations Authorization Act (H.R. 1757), affecting U.S. policy toward Jerusalem. Both of these bills reaffirm positions taken by Congress in 1995, when it overwhelmingly passed the Jerusalem Embassy Act. While that legislation become law on November 8, 1995, President Clinton, unfortunately, did not sign it. The Jerusalem Embassy Act declares that official U.S. policy should recognize Jerusalem as the Capital of the State of Israel. The bill also supports Jerusalem remaining an undivided city where the rights of every ethnic and religious group are protected. Finally, it requires that

the United States move its Embassy from Tel Aviv to Jerusalem by May 31, 1999. We are also committed to seeing this happen and have included provisions to do so in H.R. 1757.

I urge my colleagues to vote for both House Concurrent Resolution 60, as well as H.R. 1757, which reaffirm our belief that Jerusalem should remain Israel's undivided capital.

Mr. HAMILTON. Mr. Speaker, I yield back the balance of my time.

Mr. GILMAN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CALVERT). The question is on the motion offered by the gentleman from New York [Mr. GILMAN] that the House suspend the rules and agree to the concurrent resolution, House Concurrent Resolution 60.

The question was taken.

Mr. GILMAN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 5 of rule I and the Chair's prior announcement, further proceedings on this motion will be postponed.

FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1998 AND 1999

The SPEAKER pro tempore. Pursuant to House Resolution 159 and rule XXIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 1757.

□ 1257

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 1757) to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and for other purposes, with Mr. EWING—Chairman pro tempore—in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole rose on Thursday, June 5, 1997, the amendment offered by the gentleman from New Jersey [Mr. SMITH] had been disposed of.

Pursuant to the order of the House of Thursday, June 5, 1997, each further amendment to the bill, and all amendments thereto, shall be debatable for 10 minutes, equally divided and controlled by the proponent and an opponent, except for the following amendments which shall be debated without a time limit:

1. Amendments en bloc offered by the gentleman from New York [Mr. GILMAN] pursuant to the previous order;

2. The amendment by the gentleman from Rhode Island [Mr. KENNEDY] regarding Indonesia;

3. The amendment by the gentleman from California [Mr. MILLER] regarding Cuba;

4. The amendment by the gentleman from New York [Mr. SCHUMER] regarding Egypt;

5. The amendment by the gentleman from New York [Mr. PAXON] or the gentleman from New York [Mr. ENGEL] regarding Palestinian land transactions;

6. The amendment by the gentleman from Ohio [Mr. NEY] regarding Libya;

7. The amendment by the gentleman from South Carolina [Mr. SANFORD] regarding authorization levels;

8. The amendment by the gentlewoman from Georgia [Ms. MCKINNEY] regarding arms transfer code of conduct;

9. The amendment by the gentleman from California [Mr. CAPPS] regarding Tibet;

10. The amendment by the gentleman from New York [Mr. GILMAN] regarding counternarcotics authorities;

11. The amendment by the gentleman from Indiana [Mr. HAMILTON]; and

12. The amendment by the gentleman from New York [Mr. GILMAN].

□ 1300

It shall be in order at any time for the chairman of the Committee on International Relations, or his designee, with the concurrence of the ranking minority member of that committee, or a designee, to offer amendments en bloc. Those amendments en bloc shall be considered read, shall not be subject to amendment, shall not be subject to a demand for a division of the question, and may amend portions of the bill previously read for amendment.

The original proponents of an amendment included in such amendments en bloc may insert a statement in the CONGRESSIONAL RECORD immediately before the disposition of the amendments en bloc.

Mr. GILMAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we are now resuming consideration of the foreign relations authorization bill for fiscal years 1998 and 1999. We have a unanimous-consent agreement that makes in order several amendments to be considered under the 5-minute rule without any special time limitation. Other amendments not mentioned in the unanimous-consent request are debatable for up to 10 minutes equally divided between a Member in support and a Member in opposition on the amendment. I request that any Members having an amendment would advise our committee if they plan to offer an amendment. It would help facilitate our work here for the remainder of the day.

I would also like to point out that we are continuing to work with the administration to reach an agreement on reorganization of the foreign affairs agencies. The President has directed that consolidation of USIA and the Arms Control Disarmament Agency take place over a 2-year period. That is our responsibility, to implement that decision. It is my intention to find a solution. I hope that my colleagues on the other side of the aisle will work with us to that end, and I want to thank the ranking minority member, the gentleman from Indiana [Mr. HAMILTON], for his cooperation. We will try to move this bill as expeditiously as

possible, and we appreciate the cooperation of our colleagues to work within the agreed time limits.

AMENDMENT OFFERED BY MR. GILMAN

Mr. GILMAN. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore (Mr. EWING). Is the amendment one of those specifically listed in the order of the House of June 5, 1997?

Mr. GILMAN. Yes, it is, Mr. Chairman.

The Clerk read as follows:

Amendment offered by Mr. GILMAN:

At end of Title XVII (relating to foreign policy provisions) add the following new section (and conform the table of contents accordingly):

SEC. ADDITIONAL REQUIREMENTS RELATING TO ASSISTANCE.

(a) IN GENERAL.—Section 481(e)(4) of the Foreign Assistance Act of 1961 (22 U.S.C. 2291(e)(4)) is amended—

(1) in subparagraph (A)(ii), inserting “or under chapter 5 of part II” after “(including chapter 4 of part II)”;

(2) in subparagraph (B), by inserting before the semicolon at the end the following: “, other than sales or financing provided for narcotics-related purposes following notification in accordance with procedures applicable to reprogramming notifications under section 634A of this Act.”

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply with respect to assistance provided on or after the date of the enactment of this Act.

Mr. GILMAN. Mr. Chairman I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GILMAN. Mr. Chairman, the euphemism, war on drugs, is often misused to describe the struggle against the illicit narcotics which destroy our communities and takes the lives of so many of our young people. However in Colombia, the major drug producing nation in our hemisphere, there is a raging narcotics based drug war, and it is only a short 3 hours away by aircraft from Miami. The Colombian National Police, the CNP, our longtime courageous and honest allies in the fight against the drug cartels and their narcoguerrilla allies, in the last 10 years alone they have lost nearly 3,000 police officers. These heavy casualties were taken fighting ours as well as their own grave struggle against the illicit drug trade. These brave police officers captured or killed all of the leadership of the ruthless Medellin cartel as well as all of the key kingpins of the more sophisticated and powerful Cali international drug cartel.

The administration twice decertified the Government of Colombia over the last 2 years without a national interest waiver because of alleged corruption surrounding the Presidency. At the same time, it has badly hurt the Colombian National Police and military fighting the real drug war from the safe and secure office of the Presidency in Bogota.

The annual drug certification statute as now written automatically cuts off foreign military sales and international military education and training. That assistance is given once a nation like Colombia is decertified, without being given a national interest waiver.

As a result, today in Colombia we cannot routinely provide FMS and IMET assistance to the police and the army. In addition, we cannot provide any lethal assistance, ammunition and explosives, in the middle of their raging narcowar.

Nor can we help adequately maintain the numerous pieces of U.S. military equipment we have provided to the security forces in the past to fight drugs. The net effect has been a classic case of shooting one's self in the foot in a matter involving our vital national security, illicit drugs coming from abroad.

The certification law also creates a catch-22 situation for the nation decertified. We are denying them the very military assistance and training they often need to produce increased results in fighting drugs, results they will need later to get certified for fully cooperating in the following year.

My amendment is simple. It was included in H.R. 1486 as it came out of our committee without any opposition. It makes clear that FMS and IMET narcotics-related assistance, when the United States decertifies a nation in the future, without a national interest waiver, would no longer automatically be cut off.

Under my proposal, while the administration need not automatically provide FMS or IMET drug-related assistance, they are not precluded from doing so especially when needed in such clear cut cases like the current drug war that exists in Colombia.

I urge my colleagues to please join in this common sense solution to correct a serious glitch in the current law. Let us give our courageous friends and allies in the Colombian National Police and military in its vital struggle for their lives and that of our children a real fighting chance, and I urge adoption of the amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. HAMILTON. Mr. Chairman, I rise in opposition to the chairman's amendment which inserts into this bill one of his sections in the foreign aid division, which of course the Committee on Rules had stripped from the bill.

This amendment, taken out of the foreign aid division of H.R. 1486, would remove the current legal prohibition against providing military training and military aid to decertified countries. What that means is that, if a country is decertified because it is not cooperating with us in the fight against drugs, the United States would still automatically cut off most development assistance as well as OPIC and Exim which help U.S. companies, but lethal equipment and other military assistance could still be sent to those decertified countries.

I oppose this amendment for two reasons. First, the amendment, I think, is an affront to fair process. The Committee on Rules stripped out the foreign aid half of the Committee on International Relations' bipartisan bill. Now the gentleman from New York [Mr. GILMAN] is coming back with a provision out of the foreign aid division. Members of Congress, the gentleman from New Jersey [Mr. MENENDEZ] and the gentleman from Florida [Mr. HASTINGS] and I, had a provision to revise the drug certification process, but we did not attempt to add it to a State Department authorization bill where it does not belong.

I do not like fooling around with the process. This approach, I think, is unfair to other Members who had provisions in the foreign aid division. The gentleman from New York [Mr. GILMAN] is trying to attach an undoubtedly popular amendment from the foreign assistance bill to a different vehicle. This approach, I think, shows that the gentleman from New York [Mr. GILMAN] has no confidence in the Committee on Rules' pledge that the foreign aid bill will be taken up at a later time. What he is doing now is putting very popular, very attractive, provisions from the foreign aid division into this bill, rewriting it so that it fits under the State Department authorization bill.

Second, however, I oppose the amendment on substance. One of the main reasons for prohibiting military aid is to have a powerful stick to persuade militaries in major drug countries to become U.S. allies on counternarcotics. This amendment removes one of the key levers that the United States has under current law.

What we do here is we would decertify a country saying that they do not cooperate with us, and then we turn around under this amendment and say, "Even though you do not cooperate, we are going to continue to supply you with all of the military aid that you want."

With this amendment, for example, the United States would provide approximately \$30 million in additional military assistance to Colombia. Keep in mind Colombia is a country that does not cooperate with us by our own finding in the fight against drugs. This contradicts this amendment, I believe, the very purpose of cutting off assistance to decertified countries. Colombia's military has less incentive to improve Colombia's record if it is getting the aid that it wants any way.

Now I do agree with the gentleman from New York [Mr. GILMAN] that automatic sanctions are counterproductive. The entire decertification statute is badly flawed, and for this reason the committee voted to revise the decertification process and voted to remove all mandatory sanctions. The committee has been denied a chance to bring that product before the House.

In my view rather than make piecemeal changes, as proposed in the Gil-

man amendment, we should revise the entire statute. The gentleman from New York [Mr. GILMAN] said at committee markup that major changes to the decertification statute should undergo a close review including hearings. Well, this amendment is such a change. The gentleman from New York should withdraw this amendment until such time as the committee has completed that review.

Mr. Chairman, I urge my colleagues to oppose the amendment.

Mr. GILMAN. Mr. Chairman, I ask unanimous consent for 5 additional minutes.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GILMAN. Mr. Chairman, I would like to engage in a short colloquy with the gentleman from Indiana [Mr. HAMILTON].

Mr. Chairman, is it the gentleman's understanding that the administration supported this legislative fix to the decertification statute?

Mr. HAMILTON. Mr. Chairman, will the gentleman yield?

Mr. GILMAN. I yield to the gentleman from Indiana.

Mr. HAMILTON. Mr. Chairman, is the gentleman asking me if the administration supports his amendment?

Mr. GILMAN. No, I am asking if it is the gentleman's understanding the administration supported this legislative fix to the decertification statute so that they could meet IMET and FMS in these cases?

Mr. HAMILTON. May I respond?

Mr. GILMAN. It is my understanding that the administration did support it.

Mr. HAMILTON. Mr. Chairman, I took the position I did without reference to the administration. I do not know what their position is. They can speak for themselves.

Mr. GILMAN. Mr. Chairman, in further addressing the gentleman's comments I want the gentleman to know that I have full confidence that we are going to move the foreign aid bill at a later date, but this proposal is a matter of extreme urgency. Today the Colombian National Police have only 10 days worth of ammunition in order to continue to conduct the kind of fight that they are conducting against the guerrillas who have been trafficking in narcotics, and it is for that reason that I propose this amendment which merely restores FMS and IMET so that these courageous fighters in the drug war could continue in their efforts.

Mr. HAMILTON. Mr. Chairman, if the gentleman would continue to yield, I was very pleased to hear him say a moment ago that he believes the foreign aid bill will be brought up.

Does the gentleman from New York, the chairman of the committee, have the assurance of the leadership that a foreign aid bill will in fact be brought up on this floor?

Mr. GILMAN. Mr. Chairman, we have been conferring with the leadership,

and I will continue in my efforts to try to bring the foreign aid measure to the floor of the House.

Mr. HAMILTON. But the gentleman has no assurance from the leadership that such a bill will be brought forward?

Mr. GILMAN. I have no guarantees at this time. I can only state to the ranking minority member that I will continue strenuous efforts to try to bring the measure to the floor of the House.

Mr. HAMILTON. Let me assure the gentleman I support him in those efforts.

□ 1315

The CHAIRMAN pro tempore (Mr. EWING). The question is on the amendment offered by the gentleman from New York [Mr. GILMAN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. NEY

Mr. NEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. Is the amendment one of those specifically listed in the order of the House of June 5, 1997?

Mr. NEY. Yes, Mr. Chairman, it is.

The CHAIRMAN pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. NEY:

At the end of the bill add the following (and conform the table of contents accordingly):

DIVISION C—MISCELLANEOUS PROVISIONS

SEC. 2001. PROHIBITION ON FOREIGN ASSISTANCE TO ANY COUNTRY THAT ASSISTS LIBYA IN CIRCUMVENTING UNITED NATIONS SANCTIONS.

(a) IN GENERAL.—None of the funds made available in this Act and the amendments made by this Act shall be made available for assistance to any government if the President determines that such country has assisted the Government of Libya in violating sanctions imposed by United Nations Security Council Resolution 748 (1992).

(b) EXCEPTION.—This section shall not apply if the President determines that making such funds available is important to the national security interest of the United States.

Mr. NEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. NEY. Mr. Chairman, Steven Burrell, Shannon Davis, Christopher Jones, Sarah Philipps, Cynthia J. Smith, these are names of students, not the names of students who I would like to say today are in their communities and able to continue their education and add to their communities' benefit, and maybe one of these names could have found a cure for cancer, maybe one of these names would have done a great humanitarian effort. No, Mr. Chairman, the names I read, Steven Burrell, Shannon Davis, Christopher Jones, Sarah Philipps, Cynthia J. Smith, these are the names of just a

few of the 35 students from Syracuse University who cannot be with us today and never will be with us because they were passengers on Pan Am Flight 103, which was blown out of the sky by a powerful bomb over Lockerbie, Scotland. All told, all 259 passengers and crew aboard the plane were killed, along with 11 people on the ground.

After one of the most extensive investigations in history, two Libyan intelligence agents were implicated for planting an explosive device on the plane that murdered all of the passengers on the plane. After repeated requests, I stress repeated requests, and Libya's failure to extradite the two Libyan agents, the United Nations imposed a ban on air traffic in and out of Libya as a result.

Last week, in a reckless attempt to have the sanctions lifted without actually delivering the two suspects, the Libyan Government, under the direction of Moammar Qadhafi, sent a direct appeal to the families of the victims talking about a compromise. Unfortunately, the letter was more of a cynical propaganda ploy aimed at manipulating the victims' families than it was an actual concession, and the victims' families recognized this publicly.

On top of murdering the families, I think one of the worst things that could have been done was to try to involve them in a propaganda ploy of the Libyan Government.

Now, why did this happen? It happened because earlier this year, on May 8, the Libyan leader, Moammar Qadhafi, defied the U.N. ban on all traffic in and out of Libya. He flew a flotilla of four Boeing 727's to two Libyan countries, Niger and Nigeria. Now this matter is currently being pursued in the U.N. Security Council and the Sanctions Committee.

My amendment, very simply, will prohibit any funds made available through this bill from going to any government that assists Libya in circumventing the U.N. sanction.

We took upon ourselves, and the United Nations agreed, these sanctions for a reason. Not for the pleasure of Moammar Qadhafi to do as he pleases without doing the right thing, which is to turn these people over for trial that killed all of the people on the Pan Am flight, but on top of it, Mr. Chairman, it is blatantly obvious that Moammar Qadhafi does not take the U.N. sanctions seriously, and that Libya continues to harbor and finance terrorist groups that share Qadhafi's anti-Western views all over our planet.

However, real problems begin to arise when other nations of the world assist rogue governments and rogue countries like Libya in circumventing U.N. sanctions. That does not add to the peace or the security of any citizen of any country who at any point in time can fall victim to the rogue activities of a rogue government headed by a ruthless rogue leader, which is what Moammar Qadhafi is.

The United States has the ability, however, to help deter other countries from assisting Libya through the threat of withholding American assistance, and that is the sole purpose of my amendment.

Mr. Chairman, I urge my colleagues' support of this amendment on behalf of the innocent Americans and the innocent peoples from all around the world who were on this flight and for the other people who have fallen victim to the hideous ways of this brutal leader. I again urge my colleagues' support of this amendment. I would also like to thank the gentleman from New York [Mr. GILMAN] and his staff for all of the hard work that they put into this bill. They have done a wonderful job.

Mr. HAMILTON. Mr. Chairman, I rise in support of the amendment, and I will vote for it. I want to work to refine it down the line, and I have a question or two to the sponsor.

Mr. Chairman, I would inquire of the gentleman from Ohio, what countries would be affected by this amendment?

Mr. NEY. Mr. Chairman, will the gentleman yield?

Mr. HAMILTON. I yield to the gentleman from Ohio.

Mr. NEY. Mr. Chairman, the countries that would be affected would be those countries who, in fact as the amendment states, the President feels has violated the U.N. sanctions. So it could be any country of the world in fact that would allow for a situation like the flotilla to land in their country and they would violate U.N. sanctions. So it is not specific to what countries, but it would be any country who violates the already existing U.N. sanctions.

Mr. HAMILTON. Mr. Chairman, can the gentleman name any country that would be affected, any specific country that would be affected?

Mr. NEY. Well, if the gentleman would further yield, it could be whatever country that violated from this point forward.

Mr. HAMILTON. Is there a country that now violates, if this were law?

Mr. NEY. Mr. Chairman, I feel that the two countries that allowed him to land, and of course the United Nations has to make that decision, which was Niger and Nigeria, but this amendment would be a deterrent to future situations where a country would allow the leader, Moammar Qadhafi, in fact to land on their soil.

Mr. HAMILTON. Mr. Chairman, reclaiming my time, I think the gentleman should be commended. All of us want to support tough sanctions against Libya, because there is not any doubt that Libya has not cooperated with respect to the investigation of Pan Am 103, and there is not any doubt that Libya is not complying with the U.N. resolutions. But I do want to point out in the interest of indicating that some refinements probably have to be made on the gentleman's amendment, the kinds of problems that arise.

For example, South Africa. President Mandela has invited Qadhafi to visit. Is

South Africa going to get caught up in this amendment? Or take Tunisia, who is the largest recipient of United States antiterrorism assistance. It is certainly hostile to Libya on a state-to-state basis, but through the Island of Djerba is a major international gateway to Libya. It is quite possible, for example, that Tunisia would be caught up in this amendment.

I point these things out not to be critical of the gentleman's amendment, but simply to encourage him, as the bill moves forward, to be open and receptive to refinements to the bill which would permit us to deal with these fairly specific and fairly difficult situations.

Mr. NEY. Mr. Chairman, if the gentleman would continue to yield, I would just note that I am willing to communicate during the process, of course, and I know the gentleman from Indiana [Mr. HAMILTON] would agree that we would have to be narrow in the scope so that certain unforeseen situations such as the ones that were mentioned, but I think that we would have to be careful, obviously, to always encourage countries to not deal with such regimes, but again, I think we can definitely have a discussion of what situations are appropriate, and also note the language. There is a certain amount of executive flexibility which we can communicate on.

Mr. HAMILTON. Mr. Chairman, I thank the gentleman.

Mr. GILMAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the committee is willing to accept the amendment by the gentleman from Ohio [Mr. NEY], and I want to commend him for his good work on this measure.

I appreciate the work that has been done in trying to improve our sanctions legislation. I will note that the amendment cuts off aid to any country that breaks U.N. sanctions against Libya, and while there is some concern that this amendment will cut off aid to some key allies, I note that this provision does have a national security waiver which the President may exercise in order to continue aid amongst those countries.

Accordingly, Mr. Chairman, I strongly support the amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Ohio [Mr. NEY].

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. NEY. Mr. Chairman, I demand a recorded vote, and pending that I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to the House Resolution 159, further proceedings on the amendment offered by the gentleman from Ohio [Mr. NEY] will be postponed.

The point of no quorum is considered withdrawn.

AMENDMENT OFFERED BY Mr. CAPPS

Mr. CAPPS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. Is the amendment one of those specifically listed in the order of the House of June 5, 1997?

Mr. CAPPS. Yes, Mr. Chairman, it is.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. CAPPS:

At the end of Title XVII (relating to foreign policy provisions) add the following new section (and conform the table of contents accordingly):

Notwithstanding section 1407(b)(1) of this act, for each of the fiscal years 1998 and 1999 at least 30 scholarships shall be made available to Tibetan students and professionals who are outside of Tibet (if practicable, including individuals active in the preservation of Tibet's unique culture, religion, and language), and at least 15 scholarships shall be made available to Burmese students and professionals who are outside Burma.

Mr. CAPPS. Mr. Chairman, my amendment directs USIA, whenever feasible, whenever practical, to include individuals that are active in preserving the culture, religion and language of Tibet in the existing Tibetan Education and Cultural Exchange Program authorized in this bill.

Mr. Chairman, as we know, the Tibetan people have suffered tremendously under a succession of regimes, present regimes in Beijing. Beijing has singlemindedly implemented policies that have plundered and decimated spiritual life, the cultural life, the religious life, and specifically the monastic life, the life of the monks of the people of that country, and forced change in the day-to-day cultural traditions of the Tibetan people.

In the last 2 years, regrettably, this repression has increased. The current Chinese policy toward Tibet may well end in relegating Tibetan culture and language to the history books unless we make conscious efforts to support the preservation of this culture.

Mr. Chairman, before I came here as a Congressman, I was professor of religious studies at the University of California in Santa Barbara. Tibet is very much on my mind these days. Last week I participated in a celebration at Santa Barbara to establish a professorial chair in Tibetan Buddhist studies in my own department.

□ 1330

My own dedication to the study of religion is born of the belief that the cultural and spiritual life of the world benefits immeasurably from the diversity of the world's religious traditions. In Tibet, as in all places, the religion and culture inextricably intertwine and is the glue that holds the people of Tibet together.

Furthermore, the richness of the Tibetan culture in my judgment benefits all of humanity. It enriches the human spirit. The annihilation of this would be a loss to all of us.

This amendment encourages Tibetans to participate in this preservation activity. The preservation of Tibetan culture, religion, and language, as I

have said, is important to us all. This amendment is a significant step in that direction.

Mr. HAMILTON. Mr. Chairman, will the gentleman yield?

Mr. CAPPS. I yield to the gentleman from Indiana.

Mr. HAMILTON. Mr. Chairman, I just want to express my commendation to the gentleman from California [Mr. CAPPS] for offering this amendment. He is a very distinguished scholar in this field. He is applying his expert knowledge to a provision of law and refining it, I think, in a very productive and constructive way. I fully support the amendment and congratulate him for offering it.

Mr. GILMAN. Mr. Chairman, will the gentleman yield?

Mr. CAPPS. I yield to the gentleman from New York.

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding to me.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from California [Mr. CAPPS]. His Holiness, the Dalai Lama, has diligently and courageously sought to protect Tibetans' unique cultural and religious heritage. The Fulbright Exchange Program has helped in that goal. Accordingly, we are pleased to accept the gentleman's amendment. I urge my colleagues to support the amendment.

Mr. CAPPS. I thank the gentleman.

The CHAIRMAN pro tempore (Mr. EWING). The question is on the amendment offered by the gentleman from California [Mr. CAPPS].

The amendment was agreed to.

AMENDMENT OFFERED BY Mr. MILLER OF CALIFORNIA

Mr. MILLER of California. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. Is the amendment one of those specifically listed in the order of the House of June 5, 1997?

Mr. MILLER of California. Yes, Mr. Chairman.

The CHAIRMAN pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. MILLER of California:

At the end of title XVII, insert the following section:

SEC. 1717. CUBAN CIGARS.

It is the sense of Congress that the United States should not prohibit the importation into the United States, or the sale or distribution in the United States, of cigars that are the product of Cuba.

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Mr. Chairman, the purpose of this amendment is twofold. One is to put an end to the duplicity that takes place so very often inside the beltway in Washington, DC, as members of the government, both the executive branch, the congressional branch, and others denounce the Cuban embargo, or denounce Cuba and continue to support the embargo against Cuba, and then after doing so, light up a Cuban cigar and extol the pleasures and the attributes of that cigar.

However, this practice of lighting up Cuban cigars is not something that is just limited to those who favor, oppose, or have a position on the Cuban embargo. What we know now is that for many, many years, the life of the embargo, over 30 years, is that even in its inception it was designed not to be respected and not to be honored. President Kennedy, when he knew he was going to sign an embargo against Cuba, immediately asked one of his aides to go out and purchase all the Cuban cigars that he could get his hands on so he would have a full stock of them when the embargo went in place.

Since that time, Members of Congress have gone to Cuba in official delegations and met with Fidel Castro and met with other officials in the Cuban Government and have come back with Cuban cigars. They have shared them on a very discreet basis with their good friends, and again, they have enjoyed them to the hilt.

Those of the Members who have served here for some time know very often Members would report to the Speaker of the House of Representatives, Tip O'Neill, about their trips and their conversations with the Cuban Government; and he would very quickly ask you, where are the cigars, knowing that a box of cigars had been sent from Fidel Castro or from some other Governmental official to him.

So the point is this, the point is this: that we have people in the political elites, we have people in the media elites, the intellectual elites, who visit the island or who travel overseas and who have the money to buy these cigars, to purchase them. What has happened? For the middle-class cigar smoker, it means the cigar costs somewhere between \$15 and \$35, maybe more. I think we ought to, if it is good enough for those in the Government, if it is good enough for those in the media, I think we ought to share it with the middle class in this country.

We understand the purposes of this embargo. The idea was that we could impose hardship on the Cuban Government and they would change their ways. This was a sacrifice we were prepared to enter into. If this sacrifice is worth making, it is worth sharing. I think that is what this amendment does.

This amendment also understands that we cannot have it both ways. We cannot have it to condemn and to support the embargo and then engage openly in the products of that. This is what we are talking about. This is the Cohiba cigar. This is the mother lode of cigars.

This is what, when people get together and go to cigar smokers, a few people in the room will have it, and the rest in the crowd will watch them light it up with great admiration. They will talk about how they acquired it; did they mail order it on the Internet? Did they have it sent to them from Holland, where the bands were removed, the Cohiba bands were removed, it en-

tered the country, and then they had the bands sent separately so they could get the bands back on to impress their friends? Or did they get it from a governmental official, a Member of Congress who traveled to Cuba and brought them back to hand them out; let me do you a favor, let me give you a cigar.

Why should not all Americans, if they so desire, enjoy that pleasure? But what we have done is established an embargo on cigars that now means it is really only for the elite. It is only for the elite. This amendment suggests that that should not be allowed, that we should not continue that purpose. We should end the duplicity about this.

Some have suggested that if the ban and embargo were truly enforced, we probably could not get a quorum in the Congress of the United States, or in the U.S. Senate, or maybe even in the President's Cabinet, because they would all be taken off for smoking contraband. Is that what forces us to spend over \$1 million a year in customs agents just in Miami for the purposes of searching out cigars?

Do we not have larger problems in terms of our customs service, drugs, other illegal materials, piracy? Should we spend this kind of money just in one city to search out this dangerous little cigar that is enjoyed only inside of the beltway and in the parties among the elite?

I think we can do better than that. I think we can do better by redirecting our resources to those things that are causing the American public great angst, mainly the illegal importation of drugs into this country where we would better use those customs agents. I think we could do better in terms of ending the hypocrisy by those who will raise Cain about the Government of this island, about the Government of Fidel Castro, and then enjoy a Cuban cigar.

This is not a partisan amendment. This smoke flows as heavily from the Republican Cloakroom as it does in the Democratic Cloakroom.

The CHAIRMAN pro tempore. The time of the gentleman from California [Mr. MILLER] has expired.

Mr. MILLER of California. Mr. Chairman, I ask unanimous consent for 30 additional seconds.

Mr. DIAZ-BALART. Mr. Chairman, I object.

The CHAIRMAN pro tempore. Objection is heard.

AMENDMENT OFFERED BY MR. DIAZ-BALART TO THE AMENDMENT OFFERED BY MR. MILLER OF CALIFORNIA

Mr. DIAZ-BALART. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. DIAZ-BALART to the amendment offered by Mr. MILLER of California:

Delete the final period and at the end of the amendment, add the following: "at such time as the government of Cuba has (1) freed all political prisoners, (2) legalized all political activity, and (3) agreed to hold free and fair elections."

Mr. DIAZ-BALART. Mr. Chairman, this amendment offered by the gen-

tleman from California, an attempt to trivialize the suffering of the Cuban people and the apartheid economy that the Cuban worker has to live under, is truly unfortunate. The issue is not cigars, the issue is the fact that the Cuban worker in this example, for example, those who work in the fields and in the factories producing the cigars, their product is sold only in dollars, in hard currency. Yet the Cuban worker cannot collect in any way, shape, or fashion the earnings produced by the dictatorship from his labor.

So he is paid in almost worthless Cuban currency, made worthless, by the way, by the apartheid economy. And of course the dictatorship collects the very handsome, substantial sums in dollars that are generated by the actions of the Cuban worker; in this case, the cigar manufacturer and the agriculture manufacturer, the agricultural worker who works in the fields taking the tobacco to the factories.

So what my amendment to the amendment says, to this very obvious attempt to trivialize the suffering of the Cuban worker and the apartheid economy, what my amendment to the trivializing effort says is very simple: We will have no objection to making Cuban cigars legal when the Cuban producers and the workers involved in that process are able to collect what their labor produces.

Once there is a government in Cuba that frees political prisoners and legalizes political activity, and agrees, in effect, to return sovereignty to the people through willingness to hold free and fair elections, then that will be a government, obviously, that will permit that when the Cuban worker produces something like a cigar, then that currency that is generated by that sale will go to the worker, and not like now, where the dictatorship collects the dollars and keeps the worker in a situation, on the verge of the 21st century, of a total apartheid economy and abject, almost slavery, as I say, just a few years from the 21st century.

I think it is really unfortunate we are trivializing this situation, but that is, in effect, what the amendment, what the core amendment, seeks to do. That is why I think, Mr. Chairman, it is important to amend the amendment by making clear that yes, the American people will be glad to help support the Cuban economy by the purchase of that wonderful product that nature makes possible and the hard work of the Cuban worker makes possible, the Cuban cigar, once the Cuban worker is able to benefit from his and her labor and not an apartheid economy, a regime that imposes an apartheid economy on the Cuban worker.

That is what the amendment makes clear, Mr. Chairman. It is self evident.

Mr. Chairman, I yield to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. I thank the gentleman for yielding time to me, Mr. Chairman.

Mr. Chairman, I rise in support of the Diaz amendment to the Miller amendment. Cuba is one of the few countries in the world in which the struggle against totalitarianism has not yet been won. Because of the proximity of Cuba to the United States and the historical close relationship between the peoples of our two nations, it is especially important that this victory come sooner rather than later.

In evaluating all proposed legislation, in evaluating all administrative action and diplomatic initiatives with respect to Cuba, it is important to keep several principles in mind.

The CHAIRMAN pro tempore. The time of the gentleman from Florida [Mr. DIAZ-BALART] has expired.

Mr. SMITH of New Jersey. Mr. Chairman, I move to strike the last word.

Mr. Chairman, in evaluating all of the proposed legislation, any kind of diplomatic or administrative initiative vis-a-vis Cuba, it is important to keep these following principles in mind: First, such actions must be calculated to emphasize the status of the Castro government as a rogue regime with whom the civilized nations of the world should have no dealings.

Second, our actions must be calculated to hurt the dictatorship and not the Cuban people.

Finally, we should make it clear that Cuba will receive a warm welcome back into the family of free and democratic nations.

□ 1345

By this standard, we have made some terrible mistakes, such as the 1994 Clinton-Castro antirefugee agreement. We made this agreement just a few months after the Castro regime had brutally murdered 40 men, women, and children who were trying to escape from Cuba on the vessel the *Thirteenth of March*. The agreement gave the Castro government just what it wanted, an end to the longstanding United States policy of accepting people who escape from Cuba.

The agreement specified that Castro was to use mainly persuasive methods to keep people from fleeing from Cuba. The United States thereby accepted moral responsibility for whatever forms of persuasion he should choose to employ. And it enhanced the international prestige and the domestic power of the regime.

The Castro government returned the favor a year later by murdering four American citizens, members of the pro-freeedom organization Brothers to the Rescue who were flying in international airspace. So we got tough again for a little while.

Mr. Chairman, the adoption of the Miller amendment, if it is not amended successfully by the gentleman from Florida [Mr. DIAZ-BALART], would send a clear signal that the get-tough period is over again. It would send a signal, and it would signal an unwarranted unilateral departure from our policy of isolating Castro. Once again we would

send a signal to the world that Castro is not so bad after all.

Mr. Chairman, it is important that we remember just what kind of regime we are dealing with. We must bear in mind that the Castro regime is the No. 1 violator of human rights in our hemisphere.

According to the State Department's country reports on human rights practices for 1996, Cuba is a totalitarian state controlled by Fidel Castro, who has exercised control over all aspects of Cuban life. According to the country reports, among the more serious human rights violations by the regime in recent years are, and I quote:

The authorities were responsible for the extrajudicial killing of dozens of people.

The government continued to employ acts of repudiation, which are attacks by mobs organized by the government but portrayed as responsible public rebukes, against dissident activity.

The government also metes out exceptionally harsh prison sentences to democracy and human rights advocates whom it considers a threat to its control.

Police and prison officials often use beatings, neglect, isolation, and other abuse against detainees and prisoners convicted of political crimes, including human rights advocates, or those who persisted in expressing their views.

Citizens have no legal right to change their government or to advocate change.

The government does not allow criticism of the revolution or its leaders. The Communist Party controls all media as a means to indoctrinate the public.

Religious persecution continues.

The country reports point out.

The government has ignored calls for democratic reform and labeled activists who proposed them as worms and traitors.

The decision on whether to embrace or isolate the Castro regime raises the question of what role human rights and basic decency are to play in our foreign policy. I urge a strong "yes" vote for the Diaz-Balart amendment, and salute him for his longstanding support for democracy in Cuba. His amendment is a step in the right direction in that endeavor.

Ms. ROS-LEHTINEN. Mr. Chairman, I move to strike the requisite number of words.

I rise in opposition to the amendment originally proposed by the gentleman from California [Mr. MILLER] and in support of the new amendment as proposed by the gentleman from Florida [Mr. DIAZ-BALART].

The Miller amendment comes across as a parody or a caricature, very cruel, of the Cuban people. It makes a mockery of the suffering Cuban people, of their subjugation, and it belittles their suffering. The Miller amendment is also an affront to the more than three-decades-old United States policy toward Cuba, for it focuses on violations of the trade embargo as justification or cause to weaken our United States policy.

I think it defies all logic when violations in and disregard for U.S. laws are used to defend a position of accommodation with smugglers or, in the final equation, with the Castro regime itself.

Essentially, this Miller amendment is saying that if we cannot beat them, join them. If we cannot curb the violations of U.S. laws and we cannot inhibit interest in Castro's blood products, then let us just make things easier for all and lift those prohibitions.

This is not the way, certainly, that U.S. foreign policy should be run. I really do not think that the United States would have won the cold war and sit as the leader of the free world, if every time its laws were blatantly disregarded, we had thrown up our hands in the air and said, fine, we cannot seem to enforce the laws because people are violating them, so let us just change the law.

This is not the way to proceed. We do not change laws because someone decides to violate them or skirt them. This is like saying we cannot prevent murderers from killing or drug traffickers from polluting our society, so we should change our laws to accommodate those crimes. That is unconscionable and it is just plain wrong.

It would be helpful for the cause of freedom if the gentleman from California would instead introduce an amendment that focused on human rights violations in Cuba, or on the narcotics trafficking by the Castro regime, or on their sponsorship of activities to undermine United States security and hemispheric stability.

If the gentleman would only reflect on four innocent, unarmed victims shot down over international waters on February 24 of last year, three of them United States citizens and the fourth a U.S. legal resident, one of these brave young men served this country proudly in Vietnam, having been decorated for courage in defending the ideals of democracy. I suppose it would be too difficult to think of them or think of the men, women, and children killed by Castro's thugs in Cuban waters because they merely tried to seek freedom; or think about the thousands who perish in Castro's jails because they had the courage to stand up to this cruel regime and defend their right to be free.

That is much more difficult and much less financially rewarding. This amendment certainly seems to be the easy way out.

They should be remembered, and we should remember every day the blood shed by so many throughout the years in the struggle to free Cuba from its enslavement at the hands of the Castro regime. We should not be considering an amendment like the one introduced by the gentleman from California [Mr. MILLER], which only serves to provide a lifeline to the Castro dictatorship.

The Miller amendment contradicts and undermines the objectives and the priorities of United States policy toward Cuba. It serves to belittle the views of the majority of this body, and of the Senate as well, that overwhelmingly supported the passage of the Helms-Burton law. It disregards United States foreign policy priorities and national security interests by placing

greater emphasis on financial gain than on the overarching commitment of the United States to help bring democracy to Cuba.

The United States must assume its leadership role and effect concrete, positive changes within the last remaining bastion of totalitarianism and dictatorship. It should not be wasting its position of influence to help fill the pockets of a ruthless dictator.

Unfortunately, it appears that some in this body cannot shift the focus from dollars and cents. It appears that the desire for a Cuban cigar and the idea of capitalizing on trade is stronger than the human instinct to protect the downtrodden and the oppressed.

I hope that the latter will prevail, and that my colleagues will overwhelmingly reject the Miller amendment and instead support the Diaz-Balart amendment.

Mr. MENENDEZ. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to support the Diaz-Balart perfecting amendment and to oppose the Miller amendment of my colleague from California.

I have respect for his desire and the desire of a lot of people in this country who want to smoke a Cuban cigar. I understand that. I understand that. But the nature of the question is, What has worked to move the Castro regime to make some positive changes?

And the fact of the matter is, I would quote to the body the realities that our policy, which is to deny the regime hard currency, thereby forcing it to move toward a greater opening, hopefully, for democracy and human rights, has been a policy that has begun to work, especially over the last several years for which the loss of the Soviet Union \$6 billion a year and the tightening of our embargo, ending the loopholes and the Libertad legislation, have taken effect so much so that we hear the regime constantly, daily speak against them, and they would not even pay attention to it if it was not having an impact.

Now, the fact of the matter is that our policy has created some very significant things. It has reduced the third largest army in the Western Hemisphere after the United States and Brazil per capita, good for the people in Cuba. Less of a military means more food for Cuban families, less of a military means less instability throughout the Americas, and certainly it is a good action. That has happened because of the necessity created on the regime.

What else has happened? The fact of the matter is that international investment, limited as it is in Cuba, has only been created and accepted over the last couple of years out of necessity, necessity by the fact that the Soviet Union no longer exists and no longer does their aid flow to the regime, and at the same time our policy. So in fact, whatever we believe, for those of us who even disagree with the policy that eco-

nomic opportunities would create democratic movements, that has been created by necessity.

Lastly, the American dollar, the most hated symbol of the revolution, illegal to own until a couple years ago, is now actively sought within Cuba.

So the fact of the matter, it is our policy of denying the regime hard currency that has moved them, albeit ever so slowly and ever so limitedly, that has moved them to the only positive openings that we have seen.

The other thing is, I know that my colleagues, especially on this side of the aisle, are in strong support of labor rights. A laborer in Cuba, particularly in the tobacco industry and the cigar and leaf-producing and cigar-making industry, does not have the right in Cuba to receive resources directly from a foreign company investment in terms of a salary. That is to say, the foreign company comes into Cuba producing cigars for export and in fact they cannot be paid directly by that foreign company. In fact, they pay the regime. The regime takes the overwhelming amount of the salary and gives a subsistence wage to the worker.

I am sure that my colleagues do not want to be part of an enterprise, as we talk about China and the people's army there, and products produced there and other parts of the world, I am sure that we do not want to exploit Cuban workers who are not able to fully receive the benefits, working conditions and the salary of their sweat and labor.

In fact, by doing this, we would do that. We would permit hard currency to go to the regime. We would not improve the life of workers. On the contrary, we would continue to promote the subsistence wages that they get. We would continue to promote the under class that in fact they slave in on behalf of the regime, and we would permit the regime to be able to continue to oppress its people because it would have resources flowing into it in very significant dollars.

While this is only a sense of the Congress, I think it is the wrong sense. Right now at this very moment, I just finished getting off of Radio Marti, doing a program in which people from the islands are connected to people through Radio Marti. When we think of the work of independent journalists who get arrested every day for trying to report what is going on in Cuba, if we think about the dissidents that are active in Cuba, the fact of the matter is, this debate even makes a mockery of what they are trying to accomplish every day.

Just a little while ago the gentleman from Ohio [Mr. NEY] offered an amendment pertaining to Libya. No Member here would consider offering an amendment to allow any single Libyan product to enter the United States because of Libya's actions. I can think about that replicated in a whole series of countries across the globe, that we say we will not permit their products to come in because of the nature of forced

labor, prison camp labor, or in fact the exploitation of workers.

I have heard many of my colleagues passionately speak about those rights. And so I would urge my colleagues to support the Diaz-Balart amendment. Let Cuban cigars in when freedom and democracy come to the people of Cuba, and when workers are not exploited and they can share in the benefits of proceeds received from the work of their labor.

Mr. GILMAN. Mr. Chairman, I move to strike the requisite number of words.

I am rising in opposition to the Miller amendment and in support of the Diaz-Balart amendment. As much as some appreciate the Cuban cigars, it is certainly not the key issue. The key issue today with regard to the Miller amendment is freedom in Cuba.

Cuba is not free and this Congress has acted repeatedly to tighten, not loosen, the embargo against Cuba. I cite the Cuba Democracy Act passed by a Democratic Congress and signed by a Republican President. I cite the Helms-Burton Act passed by a Republican Congress, signed by a Democratic President. The gentleman from California [Mr. MILLER] is right, Castro cannot have it both ways or either way, Republican or Democrat, Congress or the President.

The message has been the same, from President Kennedy through Presidents Reagan and Clinton: Free Cuba.

I ask the gentleman from California [Mr. MILLER] to note that there are many fine cigars made outside of Cuba, and I urge the gentleman to familiarize himself with the Opus X or Arturo Fuente cigars until Cuba is free, and let us not allow our strong commitment to human rights to be blown away by any cigar smoke.

Accordingly, I support the Diaz-Balart perfecting amendment. I urge its adoption and defeat of the Miller amendment.

□ 1400

Mr. MILLER of California. Mr. Chairman, I move to strike the requisite number of words.

(Mr. MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. MILLER of California. Mr. Chairman, I recognize the arguments of my colleagues, and that is the reason we have the embargo, but they obviously missed the point on the amendment; that it gets a little old, as people are thumping their chests in the media, in the intellectual discussion groups, in Washington, DC, and in the Halls of Congress about the evils of the Cuban Government and of Fidel Castro, and then kick back to light up a Cuban cigar.

Now, we have an embargo, and the American public does not imbibe in Cuban sugar or Cuban medical services, or financial services or travel, or whatever, and that is a shared sacrifice. That is a shared understanding.

But somehow among the political elites and Members of Congress, the Supreme Court, the U.S. Senate, the President's Cabinet, people can light up a cigar and go on like nothing has happened. The purpose of this amendment is just to point that out; that we ought not to have a policy that is so ragged because of the duplicity that is put in it by the opinion makers in this country. That is the purpose of this amendment. I think, Mr. Chairman, that the reaction I have gotten from my colleagues points that out; that we cannot have it both ways.

But with this policy, a lot of people in this country believe in fact that they can, they can go on and they can condemn these practices and then they can decide to smoke a Cohiba or some other Cuban cigar.

Mr. Chairman, I would urge passage of this amendment.

The CHAIRMAN pro tempore (Mr. EWING). The question is on the amendment offered by the gentleman from Florida [Mr. DIAZ-BALART] to the amendment offered by the gentleman from California [Mr. MILLER].

The amendment to the amendment was agreed to.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California [Mr. MILLER] as amended.

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. MILLER of California. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The CHAIRMAN pro tempore. Pursuant to House Resolution 159, further proceedings on the amendment offered by the gentleman from California [Mr. MILLER] will be postponed.

The point of no quorum is considered withdrawn.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to House Resolution 159, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

The amendment offered by the gentleman from Florida [Mr. STEARNS]; the amendment offered by the gentleman from Florida [Mr. SCARBOROUGH]; the amendment offered by the gentleman from New Jersey [Mr. ENGEL]; and the amendment offered by the gentleman from Washington [Mr. NETHERCUTT].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

MODIFICATION TO AMENDMENT OFFERED BY MR. SCARBOROUGH TO TITLE XVII, FOREIGN POLICY PROVISIONS

Mr. SCARBOROUGH. Mr. Chairman, I ask unanimous consent to modify a previous amendment that we are about to vote on.

The CHAIRMAN pro tempore. The Clerk will report the modification.

The Clerk read as follows:

Modification to the amendment offered by Mr. SCARBOROUGH.

At the end of the amendment, add the following:

"This restriction shall not be interpreted to restrict humanitarian assistance or transactions relating to normal diplomatic activities."

The CHAIRMAN pro tempore. Is there objection to the modification offered by the gentleman from Florida?

Mr. CAPPS. Mr. Chairman, reserving the right to object, I would like the gentleman to explain the changes he has in mind, and I yield to the gentleman from Florida for that purpose.

Mr. SCARBOROUGH. Mr. Chairman, I thank the gentleman and I advise him that we were going to have the gentleman from Indiana [Mr. HAMILTON] speak to this, but the vote is coming up right away and I regret that we were not able to give the gentleman the background that we gave the gentleman from Indiana.

We add the last line, "This restriction shall not be interpreted to restrict humanitarian assistance or transactions relating to the normal diplomatic activities" in Sudan. And we did so because the gentleman from Indiana had some concerns that the language would actually hamper humanitarian efforts.

Obviously, we are concerned about persecution in Sudan, and we want to do everything we can do to expedite humanitarian assistance to the people in that troubled land, so we have agreed to work with the gentleman from Indiana in any way we can to ensure that humanitarian assistance to Sudan would not be adversely affected.

Mr. CAPPS. Mr. Chairman, further reserving my right to object, I yield to the gentleman from Indiana [Mr. HAMILTON].

Mr. HAMILTON. Mr. Chairman, I thank the gentleman for yielding to me, and I want to express my appreciation to the gentleman from Florida for his amendment. I think it is a worthy objective.

I certainly do not intend to object. I do simply want to indicate to him that I think the amendment needs further refinement, and I have appreciated the fact that he is willing to work with me and others, and I think the chairman of the committee, to try to achieve that.

For example, I think under the language as it stands, it may be the case that United States nationals could not receive payment for claims from the Sudanese Government even for a terrorist act. It is possible under the language that U.S. nationals could no longer travel to the countries, even journalists, for example.

I simply point these things out, not to object to the gentleman's amendment, but to raise concerns about it and to say that I will work with him to tighten the amendment and to refine it, and I appreciate very much his willingness to do that.

Mr. SCARBOROUGH. Mr. Chairman, if the gentleman will continue to yield, I thank the gentleman from Indiana,

and I certainly would defer to the judgment of the chairman and the ranking member on matters such as this. Obviously, they have had experience in these areas much longer than I have. So, actually, I look forward to working with the chairman and the ranking member.

Mr. CAPPS. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Florida?

Mr. GILMAN. Mr. Chairman, reserving the right to object, and I do not intend to object, I merely wish to advise the gentleman that we accept his amendment.

Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN pro tempore. The modification is agreed to.

The text of the amendment, as modified, is as follows:

Page 185, after line 17, insert the following section:

SEC. 1717. UNITED STATES POLICY REGARDING RELIGIOUS PERSECUTION AND SUPPORT OF TERRORISM BY SUDAN.

(a) FINDINGS.—The Congress finds the following:

(1) Continued disregard of the freedom of religion by Sudan is unacceptable.

(2) Continued support of terrorist activities by Sudan is of deepest concern and shall not be tolerated.

(c) FINANCIAL TRANSACTIONS WITH TERRORISTS.—Notwithstanding any other provision of law, the exception with respect to Sudan under section 2332(a) of title 18, United States Code (provided in regulations issued in August 1996 by the Office of Foreign Assets of the Treasury Department), shall cease to be effective on the date of the enactment of this Act. No such exception under such section may be issued with respect to Sudan until the President certifies to the Congress that Sudan is no longer sponsoring or supporting terrorism. This restriction shall not be interpreted to restrict humanitarian assistance or transactions relating to normal diplomatic activities.

AMENDMENT OFFERED BY MR. STEARNS

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida [Mr. STEARNS] on which further proceedings were postponed and on which the noes prevailed by a voice vote.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. STEARNS: At the end of title XVII insert the following new section:

SEC. . STUDY OF THE UNITED NATIONS.

It is the sense of the Congress that the President and the Permanent Representative of the United States to the United Nations should strongly encourage the United Nations to establish a commission to study, report promptly, concerning—

(1) establishing a new location for the headquarters for the United Nations; and

(2) to establish the United Nations as a part-time body.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 108, noes 315, not voting 11, as follows:

[Roll No. 170]

AYES—108

Aderholt	Gekas	Pombo
Bachus	Gibbons	Radanovich
Barr	Goode	Regula
Bartlett	Goodlatte	Riley
Barton	Goodling	Rogan
Bilbray	Green	Rohrabacher
Bono	Gutknecht	Royce
Brady	Hall (TX)	Ryun
Burr	Hansen	Sanford
Burton	Hastings (WA)	Scarborough
Callahan	Hayworth	Schaefer, Dan
Campbell	Hefley	Schaffer, Bob
Chambliss	Hill	Sensenbrenner
Chenoweth	Hilleary	Sessions
Christensen	Hostettler	Shadegg
Coble	Hulshof	Shimkus
Collins	Hunter	Shuster
Combest	Hutchinson	Smith (MI)
Cooksey	Istook	Smith, Linda
Cox	Jones	Solomon
Cramer	Kingston	Souder
Crane	Klug	Spence
Crapo	Largent	Stearns
Cubin	Lewis (KY)	Stump
Cunningham	Lucas	Taylor (MS)
Deal	Manzullo	Taylor (NC)
DeLay	McInnis	Thornberry
Doolittle	McIntosh	Thune
Dreier	McKeon	Tiahrt
Duncan	Metcalf	Wamp
Dunn	Moran (KS)	Watkins
Emerson	Neumann	Watts (OK)
Ensign	Norwood	Weldon (FL)
Everett	Nussle	Weller
Foley	Paul	Whitfield
Fowler	Paxon	Young (AK)

NOES—315

Abercrombie	Clayton	Gallegly
Ackerman	Clement	Ganske
Allen	Clyburn	Gejdenson
Andrews	Coburn	Gephardt
Archer	Condit	Gilchrest
Armey	Conyers	Gillmor
Baesler	Cook	Gilman
Baker	Costello	Gonzalez
Baldacci	Coyne	Gordon
Ballenger	Cummings	Goss
Barcia	Danner	Graham
Barrett (NE)	Davis (FL)	Granger
Barrett (WI)	Davis (IL)	Greenwood
Bass	Davis (VA)	Gutierrez
Bateman	DeFazio	Hall (OH)
Becerra	DeGette	Hamilton
Bentsen	Delahunt	Harman
Bereuter	DeLauro	Hastert
Berman	Dellums	Hastings (FL)
Berry	Deutsch	Hefner
Bilirakis	Diaz-Balart	Herger
Bishop	Dickey	Hilliard
Blagojevich	Dicks	Hinche
Bliley	Dingell	Hinojosa
Blumenauer	Dixon	Hobson
Blunt	Doggett	Hoekstra
Boehlert	Dooley	Holden
Boehner	Doyle	Hooley
Bonilla	Edwards	Horn
Bonior	Ehlers	Houghton
Boswell	Ehrlich	Hoyer
Boucher	Engel	Hyde
Boyd	English	Inglis
Brown (CA)	Eshoo	Jackson (IL)
Brown (FL)	Etheridge	Jackson-Lee
Brown (OH)	Evans	(TX)
Bryant	Ewing	Jefferson
Bunning	Fattah	Jenkins
Buyer	Fawell	John
Calvert	Fazio	Johnson (CT)
Camp	Filner	Johnson (WI)
Canady	Forbes	Johnson, E. B.
Cannon	Ford	Johnson, Sam
Capps	Fox	Kanjorski
Cardin	Frank (MA)	Kaptur
Carson	Franks (NJ)	Kelly
Castle	Frelinghuysen	Kennedy (MA)
Chabot	Frost	Kennedy (RI)
Clay	Furse	Kennelly

Kildee	Moakley	Schumer
Kilpatrick	Mollohan	Scott
Kim	Moran (VA)	Serrano
Kind (WI)	Morella	Shaw
King (NY)	Murtha	Shays
Kleccka	Myrick	Sherman
Klink	Nadler	Sisisky
Knollenberg	Neal	Skaggs
Kolbe	Nethercutt	Skeen
Kucinich	Ney	Skelton
LaFalce	Northup	Slaughter
LaHood	Oberstar	Smith (NJ)
Lampson	Obey	Smith (OR)
Lantos	Olver	Smith (TX)
Latham	Ortiz	Smith, Adam
LaTourette	Owens	Snowbarger
Lazio	Oxley	Snyder
Leach	Packard	Spratt
Levin	Pallone	Stabenow
Lewis (CA)	Pappas	Stark
Lewis (GA)	Parker	Stenholm
Linder	Pascarell	Stokes
Lipinski	Pastor	Strickland
Livingston	Payne	Stupak
LoBiondo	Pease	Sununu
Lofgren	Pelosi	Talent
Lowey	Peterson (MN)	Tanner
Luther	Peterson (PA)	Tauscher
Maloney (CT)	Petri	Tauzin
Maloney (NY)	Pickering	Thomas
Manton	Pickett	Thompson
Markey	Pitts	Thurman
Martinez	Pomeroy	Tierney
Mascara	Porter	Torres
Matsui	Portman	Towns
McCarthy (MO)	Poshard	Trafigant
McCarthy (NY)	Price (NC)	Turner
McCollum	Quinn	Upton
McCrery	Rahall	Velazquez
McDade	Ramstad	Vento
McDermott	Rangel	Visclosky
McGovern	Redmond	Walsh
McHale	Reyes	Waters
McHugh	Rivers	Watt (NC)
McIntyre	Rodriguez	Waxman
McKinney	Roemer	Weldon (PA)
McNulty	Rogers	Wexler
Meehan	Ros-Lehtinen	Weygand
Meek	Roukema	White
Menendez	Roybal-Allard	Wicker
Mica	Rush	Wise
Millender-	Sabo	Wolf
McDonald	Sanchez	Woolsey
Miller (CA)	Sanders	Wynn
Miller (FL)	Sandlin	Yates
Minge	Sawyer	Young (FL)
Mink	Saxton	

NOT VOTING—11

Borski	Kasich	Rothman
Farr	Molinari	Salmon
Flake	Pryce (OH)	Schiff
Foglietta	Riggs	

□ 1432

Messrs. SMITH of Texas, McCOLLUM, SAM JOHNSON of Texas, DICKEY, and GORDON changed their vote from "aye" to "no."

Messrs. THUNE, DELAY, BACHUS, SANFORD, WELLER, GOODLATTE, and CRAMER changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. RIGGS. Mr. Chairman, on rollcall No. 170. I was unavoidably detained and could not be present to vote had I been present, I would have voted "no."

AMENDMENT, AS MODIFIED, OFFERED BY MR.

SCARBOROUGH

The CHAIRMAN pro tempore (Mr. EWING). The unfinished business is the demand for a recorded vote on the amendment, as modified, offered by the gentleman from Florida [Mr. SCARBOROUGH] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment, as modified.

The text of the amendment, as modified, is as follows:

Amendment, as modified, offered by Mr. SCARBOROUGH:

Page 185, after line 17, insert the following section:

SEC. 1717. UNITED STATES POLICY REGARDING RELIGIOUS PERSECUTION AND SUPPORT OF TERRORISM BY SUDAN.

(a) FINDINGS.—The Congress finds the following:

(1) Continued disregard of the freedom of religion by Sudan is unacceptable.

(2) Continued support of terrorist activities by Sudan is of deepest concern and shall not be tolerated.

(c) FINANCIAL TRANSACTIONS WITH TERRORISTS.—Notwithstanding any other provisions of law, the exception with respect to Sudan under section 2332(a) of title 18, United States Code (provided in regulations issued in August 1996 by the Office of Foreign Assets of the Treasury Department) shall cease to be effective on the date of the enactment of this Act. No such exception under such section may be issued with respect to Sudan until the President certifies to the Congress that Sudan is no longer sponsoring or supporting terrorism. This restriction shall not be interpreted to restrict humanitarian assistance or transactions relating to normal diplomatic activities.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 415, noes 9, not voting 10, as follows:

[Roll No. 171]

AYES—415

Abercrombie	Bryant	DeGette
Ackerman	Bunning	Delahunt
Aderholt	Burr	DeLauro
Allen	Burton	DeLay
Andrews	Buyer	Dellums
Archer	Callahan	Deutsch
Armey	Calvert	Diaz-Balart
Bachus	Camp	Dickey
Baesler	Canady	Dicks
Baker	Cannon	Dingell
Baldacci	Capps	Dixon
Ballenger	Cardin	Doggett
Barcia	Carson	Dooley
Barr	Castle	Doolittle
Barrett (NE)	Chabot	Doyle
Barrett (WI)	Chambliss	Dreier
Bartlett	Chenoweth	Duncan
Barton	Christensen	Dunn
Bass	Clay	Edwards
Bateman	Clayton	Ehlers
Becerra	Clement	Ehrlich
Bentsen	Clyburn	Emerson
Bereuter	Coble	Engel
Berman	Coburn	English
Berry	Collins	Ensign
Bilbray	Combest	Eshoo
Bilirakis	Condit	Etheridge
Bishop	Cook	Evans
Blagojevich	Cooksey	Everett
Bliley	Costello	Ewing
Blumenauer	Cox	Fattah
Blunt	Coyne	Fawell
Boehlert	Cramer	Fazio
Boehner	Crane	Filner
Bonilla	Crapo	Foglietta
Bonior	Cubin	Foley
Bono	Cummings	Forbes
Boswell	Cunningham	Ford
Boucher	Danner	Fowler
Boyd	Davis (FL)	Fox
Brady	Davis (IL)	Frank (MA)
Brown (CA)	Davis (VA)	Franks (NJ)
Brown (FL)	Deal	Frelinghuysen
Brown (OH)	DeFazio	Frost

Furse
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hansen
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Klecza
Klink
Klug
Knollenberg
Kolbe
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo

Lofgren
Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-
McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshards
Price (NC)
Pryce (OH)
Quinn
Radanovich
Ramstad
Rangel
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rogers

Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Schumer
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thurman
Tiahrt
Tierney
Torres
Towns
Traffant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Wolf
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOES—9

Campbell
Conyers
Harman

Hinchey
Kucinich
LaFalce

Paul
Rahall
Watt (NC)

NOT VOTING—10

Borski
Farr
Flake
Hall (OH)

Molinari
Owens
Rothman
Salmon

Schiff
Thune

□ 1440

Mr. CONYERS changed his vote from “aye” to “no.”

Mr. SPENCE changed his vote from “no” to “aye.”

So the amendment, as modified, was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ENGEL

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York [Mr. ENGEL] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. ENGEL:

At the end of title XVII (relating to foreign policy provisions) add the following (and conform the table of contents accordingly):

SEC. 1717. SANCTIONS AGAINST SYRIA.

(a) FINDINGS.—The Congress finds the following:

(1) Syria remains in a state of war with Israel and maintains large numbers of heavily armed forces near the border with Israel.

(2) Syria occupies Lebanon with almost 40,000 troops and maintains undue influence on all aspects of the Lebanese Government and society.

(3) Syria continues to provide safe haven and support for several groups that engage in terrorism, according to the Department of State's “Patterns of Global Terrorism” report for 1996.

(4) Syria was listed by the Department of State as a country that does not cooperate in the war on drugs.

(5) Syria has not signed the Chemical Weapons Convention, and numerous reports indicate that Syria has increased the production and level of sophistication of chemical weapons. Reports also indicate that such unconventional warheads have been loaded on SCUD-type ballistic missiles with the range to reach numerous targets in friendly nations, such as Israel, Turkey, and Jordan.

(6) Syria routinely commits a wide array of serious human rights violations, and according to a recent Human Rights Watch report, is engaging in the abduction of Lebanese citizens and Palestinian refugees in Lebanon.

(7) Several reports indicate that Syria knowingly allowed the explosives used in the June 1996 Dharan bombing, which killed 19 United States service personnel, to pass through Syria from Lebanon to Saudi Arabia.

(8) More than 20 trips by former Secretary of State Christopher to Damascus, a meeting between President Clinton and Syrian President Hafez Assad, and a Department of State-sponsored intensive negotiation session at Wye Plantation were all unsuccessful in convincing Syria to make peace with Israel. At the same time, most reports indicated that Israel was prepared to make substantial concessions of land in exchange for peace.

(9) According to the Central Intelligence Agency World Fact Book of 1995, petroleum comprises 53 percent of Syrian exports.

(10) By imposing sanctions against the Syrian petroleum industry, the United States can apply additional pressure against Syria to press the Assad regime to change its dangerous and destabilizing policies.

(b) POLICY.—It is the sense of the Congress that the United States should consider applying to Syria sanctions which are currently enforced against Iran and Libya under the Iran and Libya Sanctions Act of 1996 if the Government of Syria does not eliminate its dangerous and destabilizing policies.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 410, noes 15, not voting 9, as follows:

[Roll No. 172]

AYES—410

Abercrombie	Coble	Gallegly
Ackerman	Coburn	Ganske
Aderholt	Collins	Gejdenson
Allen	Combest	Gekas
Andrews	Condit	Gephardt
Archer	Cook	Gibbons
Armey	Cooksey	Gilchrest
Bachus	Costello	Gillmor
Baesler	Cox	Gilman
Baker	Coyne	Gonzalez
Baldacci	Cramer	Goode
Ballenger	Crane	Goodlatte
Barcia	Crapo	Goodling
Barr	Cubin	Gordon
Barrett (NE)	Cummings	Goss
Barrett (WI)	Cunningham	Graham
Bartlett	Danner	Granger
Barton	Davis (FL)	Green
Bass	Davis (IL)	Greenwood
Bateman	Davis (VA)	Gutierrez
Becerra	Deal	Gutknecht
Bentsen	DeFazio	Hansen
Bereuter	DeGette	Harman
Berman	Delahunt	Hastert
Berry	DeLauro	Hastings (FL)
Bilbray	DeLay	Hastings (WA)
Bilirakis	Dellums	Hayworth
Bishop	Deutsch	Hefley
Blagojevich	Diaz-Balart	Hefner
Bliley	Dickey	Herger
Blumenauer	Dicks	Hill
Blunt	Dingell	Hilleary
Boehlert	Dixon	Hilliard
Boehner	Doggett	Hinchey
Bonilla	Dooley	Hinojosa
Bono	Doolittle	Hobson
Borski	Doyle	Hoekstra
Boswell	Dreier	Holden
Boucher	Duncan	Hooley
Boyd	Dunn	Horn
Brady	Edwards	Hostettler
Brown (CA)	Ehlers	Houghton
Brown (FL)	Ehrlich	Hoyer
Brown (OH)	Emerson	Hulshof
Bryant	Engel	Hunter
Bunning	English	Hutchinson
Burr	Ensign	Hyde
Burton	Eshoo	Inglis
Buyer	Etheridge	Istook
Callahan	Evans	Jackson (IL)
Calvert	Everett	Jackson-Lee
Camp	Ewing	(TX)
Campbell	Fattah	Jefferson
Canady	Fawell	Jenkins
Cannon	Fazio	Johnson (CT)
Capps	Filner	Johnson (WI)
Cardin	Foglietta	Johnson, E. B.
Carson	Foley	Johnson, Sam
Castle	Forbes	Jones
Chabot	Ford	Kanjorski
Chambliss	Fowler	Kaptur
Chenoweth	Fox	Kasich
Christensen	Frank (MA)	Kelly
Clay	Franks (NJ)	Kennedy (MA)
Clayton	Frelinghuysen	Kennedy (RI)
Clement	Frost	Kennelly
Clyburn	Furse	Kildee

Kilpatrick	Ney	Shuster
Kim	Northup	Sisisky
Kind (WI)	Norwood	Skaggs
King (NY)	Nussle	Skeen
Kingston	Oberstar	Skelton
Klecza	Olver	Slaughter
Klink	Ortiz	Smith (MI)
Klug	Owens	Smith (NJ)
Knollenberg	Oxley	Smith (OR)
Kolbe	Packard	Smith (TX)
Lampson	Pallone	Smith, Adam
Lantos	Pappas	Smith, Linda
Largent	Parker	Snowbarger
Latham	Pascrell	Snyder
LaTourette	Pastor	Solomon
Lazio	Paxon	Souder
Leach	Payne	Spence
Levin	Pease	Spratt
Lewis (CA)	Pelosi	Stabenow
Lewis (GA)	Peterson (MN)	Stark
Lewis (KY)	Peterson (PA)	Stearns
Linder	Petri	Stenholm
Lipinski	Pickering	Stokes
LoBiondo	Pickett	Strickland
Lofgren	Pitts	Stump
Lowey	Pombo	Stupak
Lucas	Pomeroy	Sununu
Luther	Porter	Talent
Maloney (CT)	Portman	Tanner
Maloney (NY)	Poshard	Tauscher
Manton	Price (NC)	Tauzin
Manzullo	Pryce (OH)	Taylor (MS)
Markley	Quinn	Taylor (NC)
Martinez	Radanovich	Thomas
Mascara	Ramstad	Thompson
Matsui	Rangel	Thornberry
McCarthy (MO)	Redmond	Thune
McCarthy (NY)	Regula	Thurman
McCollum	Reyes	Tiahrt
McCrery	Riggs	Tierney
McDade	Riley	Torres
McGovern	Rivers	Towns
McHale	Rodriguez	Trafficant
McHugh	Roemer	Turner
McInnis	Rogan	Upton
McIntosh	Rogers	Velazquez
McIntyre	Rohrabacher	Vento
McKeon	Ros-Lehtinen	Visclosky
McKinney	Roukema	Walsh
McNulty	Roybal-Allard	Wamp
Meehan	Royce	Watkins
Meek	Ryun	Watt (NC)
Menendez	Sanchez	Watts (OK)
Metcalf	Sanders	Waxman
Mica	Sandlin	Weldon (FL)
Millender-McDonald	Sanford	Weldon (PA)
Miller (CA)	Sawyer	Weller
Miller (FL)	Saxton	Wexler
Mink	Scarborough	Weygand
Moakley	Schaefer, Dan	White
Mollohan	Schaffer, Bob	Whitfield
Moran (KS)	Schumer	Wicker
Moran (VA)	Scott	Wise
Morella	Sensenbrenner	Wolf
Murtha	Serrano	Woolsey
Myrick	Sessions	Wynn
Nadler	Shadeegg	Yates
Neal	Shaw	Young (AK)
Nethercutt	Shays	Young (FL)
Neumann	Sherman	
	Shimkus	

NOES—15

Bonior	Kucinich	Obey
Conyers	LaFalce	Paul
Hall (TX)	LaHood	Rahall
Hamilton	McDermott	Sabo
John	Minge	Waters

NOT VOTING—9

Farr	Livingston	Rush
Flake	Molinari	Salmon
Hall (OH)	Rothman	Schiff

□ 1449

Mr. BONIOR changed his vote from "aye" to "no."

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. NETHERCUTT

The CHAIRMAN pro tempore. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Washington [Mr. NETHERCUTT] on which further

proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill add the following section:

SEC. . SENSE OF CONGRESS RELATING TO THE ABDUCTION AND DETAINMENT OF DONALD HUTCHINGS OF THE STATE OF WASHINGTON.

(a) FINDINGS.—The Congress makes the following findings:

(1) Al-Faran, a militant organization that seeks to merge Kashmir with Pakistan, has waged a war against the Government of India.

(2) During the week of July 2, 1995, Al-Faran abducted Donald Hutchings of the State of Washington, another American John Childs, and 4 Western Europeans in the State of Jammu and Kashmir. John Childs has since escaped.

(3) Al-Faran has executed one hostage and threatened to kill Donald Hutchings and the remaining Western European hostages unless the Government of India agrees to release suspected guerrillas from its jails.

(4) Several militants have been captured by the Indian Government and have given conflicting and unconfirmed reports about the hostages.

(5) Donald Hutchings and the 3 remaining Western European hostages have been held against their will by Al-Faran for nearly 2 years.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the militant organization Al-Faran should release, immediately, Donald Hutchings and 3 Western Europeans from captivity;

(2) Al-Faran and their supporters should cease and desist from all acts of hostage-taking and other violent acts within the State of Jammu and Kashmir.

(3) the State Department Rewards Program should be used to the greatest extent possible to solicit new information pertaining to hostages; and

(4) the governments of the United States, the United Kingdom, Germany, Norway, India, and Pakistan should share and investigate all information relating to these hostages as quickly as possible.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 425, noes 0, answered "present" 1, not voting 8, as follows:

[Roll No. 173]

AYES—425

Abercrombie	Bass	Bono
Ackerman	Bateman	Borski
Aderholt	Becerra	Boswell
Allen	Bentsen	Boucher
Andrews	Bereuter	Boyd
Archer	Berman	Brady
Armey	Berry	Brown (CA)
Bachus	Billbray	Brown (FL)
Baessler	Bilirakis	Brown (OH)
Baker	Bishop	Bryant
Baldacci	Blagojevich	Bunning
Ballenger	Bliley	Burr
Barcia	Blumenauer	Burton
Barr	Blunt	Buyer
Barrett (NE)	Boehrlert	Callahan
Barrett (WI)	Boehner	Calvert
Bartlett	Bonilla	Camp
Barton	Bonior	Campbell
		Canady
		Cannon
		Capps
		Cardin
		Carson
		Castle
		Chabot
		Chambliss
		Chenoweth
		Christensen
		Clay
		Clayton
		Clement
		Clyburn
		Coble
		Coburn
		Collins
		Combest
		Condit
		Conyers
		Cook
		Cooksey
		Costello
		Cox
		Coyne
		Cramer
		Crane
		Crapo
		Cubin
		Cummings
		Cunningham
		Danner
		Davis (FL)
		Davis (IL)
		Davis (VA)
		Deal
		DeFazio
		DeGette
		Delahunt
		DeLauro
		DeLay
		Dellums
		Deutsch
		Diaz-Balart
		Dickey
		Dicks
		Dingell
		Dixon
		Doggett
		Dooley
		Doolittle
		Doyle
		Dreier
		Duncan
		Dunn
		Edwards
		Ehlers
		Ehrlich
		Emerson
		Engel
		English
		Ensign
		Eshoo
		Etheridge
		Evans
		Everett
		Ewing
		Fattah
		Fawell
		Fazio
		Filner
		Foglietta
		Foley
		Forbes
		Ford
		Fowler
		Fox
		Frank (MA)
		Franks (NJ)
		Frelinghuysen
		Frost
		Furse
		Galleghy
		Ganske
		Gejdenson
		Gekas
		Gephardt
		Gibbons
		Gilchrest
		Gillmor
		Gilman
		Gonzalez
		Goode
		Goodlatte
		Goodling
		Gordon
		Goss
		Graham
		Granger
		Green
		Greenwood
		Gutierrez
		Gutknecht
		Hall (TX)
		Hamilton
		Hansen
		Harman
		Hastert
		Hastings (FL)
		Hastings (WA)
		Hayworth
		Hefley
		Hefner
		Heger
		Hill
		Hilleary
		Hilliard
		Hinchey
		Hinojosa
		Hobson
		Hoekstra
		Holden
		Hooley
		Horn
		Hostettler
		Houghton
		Hoyer
		Hulshof
		Hunter
		Hutchinson
		Hyde
		Inglis
		Istook
		Jackson (IL)
		Jackson-Lee
		(TX)
		Jefferson
		Jenkins
		John
		Johnson (CT)
		Johnson (WI)
		Johnson, E. B.
		Johnson, Sam
		Jones
		Kanjorski
		Kaptur
		Kasich
		Kelly
		Kennedy (MA)
		Kennedy (RI)
		Kennelly
		Kildee
		Kilpatrick
		Kim
		Kind (WI)
		King (NY)
		Kingston
		Klecza
		Klink
		Klug
		Knollenberg
		Kolbe
		Kucinich
		LaFalce
		LaHood
		Lampson
		Lantos
		Largent
		Latham
		LaTourette
		Lazio
		Leach
		Levin
		Lewis (CA)
		Lewis (GA)
		Lewis (KY)
		Linder
		Lipinski
		LoBiondo
		Lofgren
		Lowey
		Lucas
		Luther
		Maloney (CT)
		Maloney (NY)
		Manton
		Manzullo
		Markley
		Martinez
		Mascara
		Matsui
		McCarthy (MO)
		McCarthy (NY)
		McCollum
		McCrery
		McDade
		McDermott
		McGovern
		McHale
		McHugh
		McInnis
		McIntosh
		McIntyre
		McKeon
		McKinney
		McNulty
		Meehan
		Meek
		Menendez
		Metcalf
		Mica
		Millender-McDonald
		Miller (CA)
		Miller (FL)
		Mink
		Moakley
		Mollohan
		Moran (KS)
		Moran (VA)
		Morella
		Murtha
		Myrick
		Nadler
		Neal
		Nethercutt
		Neumann
		Obey
		Paul
		Rahall
		Sabo
		Waters

Sessions	Stearns	Vento
Shadegg	Stenholm	Visclosky
Shaw	Stokes	Walsh
Shays	Strickland	Wamp
Sherman	Stump	Waters
Shimkus	Stupak	Watkins
Shuster	Sununu	Watt (NC)
Sisisky	Talent	Watts (OK)
Skaggs	Tanner	Waxman
Skeen	Tauscher	Weldon (FL)
Skelton	Tauzin	Weldon (PA)
Slaughter	Taylor (MS)	Weller
Smith (MI)	Taylor (NC)	Wexler
Smith (NJ)	Thomas	Weygand
Smith (OR)	Thompson	White
Smith (TX)	Thornberry	Whitfield
Smith, Adam	Thune	Wicker
Smith, Linda	Thurman	Wise
Snowbarger	Tiahrt	Wolf
Snyder	Tierney	Woolsey
Solomon	Torres	Wynn
Souder	Towns	Yates
Spence	Trafigant	Young (AK)
Spratt	Turner	Young (FL)
Stabenow	Upton	
Stark	Velazquez	

ANSWERED "PRESENT"—1

Paul

NOT VOTING—8

Farr	Livingston	Salmon
Flake	Molinari	Schiff
Hall (OH)	Rothman	

□ 1458

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. PAXON

Mr. PAXON. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. Is the amendment one of those specifically listed in the order of the House of June 5, 1997.

Mr. PAXON. Yes, it is, Mr. Chairman.

The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. PAXON:

At the end of the bill add the following (and conform the table of contents accordingly):

TITLE XVIII—OTHER FOREIGN POLICY PROVISIONS

SEC. 1801. CONDEMNATION OF PALESTINIAN DEATH PENALTY FOR LAND SALES.

(a) FINDINGS.—The Congress finds the following:

(1) In recent weeks, senior officials of the Palestinian Authority have announced that the death penalty will be imposed on anyone who sells land to a Jew, based on a now-repealed Jordanian law, even in Israel.

(2) Palestinian Authority Chairman Yasser Arafat stated on May 21, 1997, "Our law is a Jordanian law that we inherited . . . and sets the death penalty for those who sell land to Israelis. . . . We are talking about a few traitors, and we shall implement against them what is written in the law books."

(3) Palestinian Authority Justice Minister Freih Abu Middein stated on May 5, 1997, "I warned the land dealers several times through the media not to play with fire. For us, whoever sells land to Jews and settlers is more dangerous than collaborators. Therefore, they must be put on trial and sentenced to death . . . they are traitors."

(4) Palestinian Authority Justice Minister Freih Abu Middein stated on May 28, 1997, "it is obligatory to forbid the sale of land in Ramle, Lod, the Negev, and everywhere else. . . . There are many [land dealers] who have fled from Palestine, but anyone who has broken this serious law will remain a wanted fugitive by the Palestinian people, wherever he may go."

(5) Legislation implementing the death penalty was prepared for consideration by the Palestinian Legislative Council, but has not yet been considered.

(6) Since the pronouncement of senior Palestinian leaders, at least three Palestinians have been killed for selling land to Israelis, some after visits or other scrutiny by Palestinian security officials. There is further evidence that the killings were committed by Palestinian security officials.

(7) Three Palestinians were extrajudicially executed following their sale of land to Israelis.

(8) The International Covenant on Civil and Political Rights, to which the United States is a party, states, "sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of commission of the crime. . . . This penalty can only be carried out pursuant to a final judgement rendered by a competent court."

(9) The United States has made a financial commitment to the Palestinian Authority with the understanding that the rule of law would prevail, that there would be no official sanction to extrajudicial killings or violations of human rights, and that basic principles of peaceful and normal relations would be upheld.

(10) Despite claims to the contrary, there is no law in Israel forbidding the sale of land to Arabs or people of other ethnicities or nationalities.

(b) DECLARATIONS OF POLICY.—The Congress declares the following:

(1) The Congress condemns in the strongest possible terms the abhorrent policy and practice of murdering Palestinians for sales of land to Jews. Such actions are violations of international law and the spirit of the Oslo agreements, casting strong doubt as to whether the Palestinians are in compliance with their commitments to Israel. The Congress finds the endorsement and encouragement of this practice by the most senior leadership of the Palestinian Authority to be reprehensible.

(2) The Congress demands that this practice of murder and racism be condemned and renounced by the Palestinian leadership and that it will end immediately. If it does not, the Congress should not permit the provision of direct aid to the Palestinian Authority when the Middle East Peace Facilitation Act of 1995 is considered for reauthorization. The Congress urges the President to take this practice fully into account as he now determines whether the Palestinian Authority is in compliance with its commitments to Israel, which he must do in accordance with the Middle East Peace Facilitation Act of 1995.

(3) The Congress strongly urges the Palestinian Legislative Council to reject categorically legislation imposing the penalty of death on those who sell land to Israelis.

(c) TRANSMISSION OF COPIES.—The Clerk of the House of Representatives and the Secretary of the Senate are directed to transmit copies of this section to the President of the United States, the Secretary of State, the United Nations Secretary General, the United States Ambassador to Israel, the Consul General of the United States in Jerusalem, Israel, the Rais of the Palestinian Authority, all members of Palestinian Legislative Council, and the office of the Palestine Liberation Organization in Washington, District of Columbia.

Mr. PAXON (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

□ 1500

Mr. PAXON. Mr. Chairman, I come to the floor today to discuss a serious matter that threatens the continued progress toward peace in the Middle East. Early last month we became aware that Yasser Arafat demanded that action be taken to prevent the sale of land to Jews. The Palestinian Authority's Justice Minister later announced the death penalty, death penalty for any Palestinian who sold land to Jews.

Since this announcement, three Palestinians who sold land to Jews have been murdered. There is now a substantial body of evidence showing the involvement of the Palestinian Authority police officers in these murders. Two of the victims were interrogated just days prior to their murder, and in the case of the third victim, one of the suspects under arrest is an active duty Palestinian Authority police officer.

The Israeli Government now says that they have evidence that the chief of the Palestinian General Security Service in the West Bank was directly, directly involved in carrying out two of these killings.

Now, my colleagues, what has been the response of Yasser Arafat to these murders? On May 16, Arafat was quoted in an Arab newspaper as saying, and I am quoting him here,

Recently a decision was passed to punish anyone who sells land, property or homes. We are keeping track of land dealers and we are punishing them.

Later in May the Palestinian Justice Minister expanded this death threat even to Arabs living in Israel outside of the control of the Palestinian Authority.

In brief, my amendment condemns the abhorrent policy of murdering Palestinians for the sale of land to Jews. It also calls upon the Palestinian Authority to condemn this practice and for the Palestinian Legislative Council to reject any legislation imposing the death penalty for the sale of land.

After reviewing and discussing this matter with my colleagues, I think it is clear that we must consider terminating direct U.S. assistance to the Palestinian Authority when we consider extension of the Middle East Peace Facilitation Act later this summer.

Mr. Chairman, the behavior of Yasser Arafat and other members of the Palestinian Authority is completely unacceptable, and we must demand that the Palestinian authorities publicly condemn these reprehensible actions and take necessary steps to ensure that there are no more killings.

I want to be clear: This amendment is not directed to the Palestinian people, but to the leadership of the Palestinian Authority, whose commitment to the Oslo Accords are certainly called into question by their recent actions.

This amendment is necessary today because Congress cannot stand by and

allow the peace process to be wrecked. I would hope that the Palestinian leadership will heed our warnings today and put an end to these murders so that this body will not be forced to terminate direct U.S. assistance.

I understand that the State Department is in the process of completing a report to determine if the Palestinian Authority is in full compliance with all of their peace commitments to Israel. I would hope that the State Department take notice of this amendment today and carefully weigh the statements of Yassir Arafat and the recent killings before they make their final certification.

Mr. Chairman, I am pleased to be joined in this effort by my distinguished colleague and friend from New York [Mr. ENGEL] and other Members of this body on both sides of the aisle.

Mr. ENGEL. Mr. Chairman, I rise in support of the gentleman's amendment.

Mr. Chairman, I join with my good friend and colleague, the gentleman from New York [Mr. PAXON] in sponsoring this amendment today. Certainly he said it all. It is an absolute outrage that we would even think about such a proclamation whereby anybody would be threatened with death for selling land to Jews.

I ask my colleagues to imagine if the shoe was on the other foot and if it was reserved, if the Government or Israel or any other government issued such a decree that if land was sold to another group, that person would be condemned to death? It is just outlandish and outrageous to even think that this could happen.

Mr. Chairman, we call on the Palestinian Authority to condemn this practice. Simple enough, it ought to be condemned. If you say you are for peace, if you are for the peace process, if you believe in coexistence, then this practice should be condemned.

We do not believe that it ought to be coddled, we do not believe that the Palestinian Authority, whether it is Mr. Yassir Arafat or anybody else, ought to again be allowed to speak out of 16 sides of his mouth.

Now, I am very, very disturbed because I would like to read into the RECORD some quotes. In recent weeks, some officials of the Palestinian Authority have announced that the death penalty will be imposed on anyone who sells land to a Jew, based on a now repealed Jordanian law, even in Israel.

Now, listen to this: Palestinian Authority Chairman Yassir Arafat stated on May 21 of this year, and I quote,

Our law is Jordanian law that we inherited and sets the death penalty for those who sell land to Israelis. We are talking about a few traitors, and we shall implement against them what is written in the law books.

Another quote: Palestinian Authority Justice Minister Freih Abu Middein on May 5 said,

I warned the land dealers several times through the media not to play with fire. For us, whoever sells land to Jews and settlers is

more dangerous than collaborators. Therefore, they must be put on trial and sentenced to death. They are traitors.

The third quote: Palestinian Authority Justice Minister Freih Abu Middein stated on May 28,

It is obligatory to forbid the sale of land in Ramle, Lod, the Negev, and everywhere else. There are many land dealers who have fled from Palestine, but anyone who has broken this serious law will remain a wanted fugitive by the Palestinian people wherever he may go.

I submit to my colleagues that this kind of language is unacceptable, absolutely unacceptable and reprehensible and ought to be condemned in the strongest possible words by this legislative body. Certainly, those of us in the Congress that believe in the peace process may have disagreements from time to time, but certainly to say that they will absolutely murder anybody who sells land to Jews is not something that any civilized nation should tolerate.

As my colleague from New York pointed out, there have already been three murders. There is no doubt about it that those people were murdered because they were looked upon as having sold land to Jews. We cannot tolerate this. We cannot put up with this. We must condemn it. It violates international law. It is a racist policy. It is something that every person in this world and every country that believes in freedom and democracy ought to condemn in the strongest possible terms. The United States should consider suspending aid that is in this bill. It does not mandate it, it says we should consider it, because I think there has to be some kind of accountability.

Mr. Chairman, at what point do we say enough is enough? At what point do we say that actions speak louder than words? We need to absolutely say that it is not enough to say you are for peace, but on the other hand, you make these kinds of proclamations and you sort of judge it and say I will play it both ways. We cannot agree to have the Palestinian Authority say one thing in English for American consumption, American television consumption, and quite another thing in their own language to their own people, certainly when we are talking about murdering people.

Let me say one final thing. These are Palestinians that were murdered by Palestinians. These are people that were condemned to death because they were perceived as selling lands to Jews. So this is nothing that is inherent in an Arab-Israeli conflict. These are Palestinians murdering Palestinians, and it ought to be condemned in the strongest possible terms.

Mr. Chairman, I commend my colleague from New York [Mr. PAXON] for putting forth this resolution with me and others who are going to speak, and I urge a very, very strong "yes" vote from my colleagues.

Mr. GINGRICH. Mr. Speaker, I move to strike the last word.

Mr. Chairman, I rise in strong support of the Paxon amendment, and I commend the gentleman for bringing forcefully to this Congress' attention the fact that there is a new campaign of brutality in the Middle East that threatens the lives of innocent people and the spirit of the peace process.

Imagine this: People whose only crime is selling privately owned land are being killed because they are selling to Israelis. This simply must stop. One might imagine that the Palestinian leadership, engaged as they are in a peace process with Israel, would have been the first to condemn these outrageous killings. But that has not been the case, far from it. Instead, the Palestinian leadership have been instigators in these killings.

On May 5, Palestinian Authority Justice Minister Freih Abu Middein announced that, "The death penalty will be imposed on anyone who is convicted of selling one inch of land to Israel. Even middlemen involved in such deals will face the same penalty."

On May 16, Palestinian Authority Chairman Yassir Arafat said, "We are taking forceful steps against those who do this. Recently a decision was passed to punish anyone who sells land, property or homes. We are keeping track of land dealers and punishing them."

Three Arab realtors have now been brutally murdered under Palestinian control. Israeli security forces have collected evidence implicating the Palestinian Authority security forces directly in the assassinations. Incredibly, the Palestinian Authority continues to strongly defend the acts. The justice Minister stated on June 1, "I advise the land dealers to commit suicide instead of getting killed and having their bodies thrown here and there."

In addition, the Palestinian Authority has marked 16 other Arab realtors for death and turned over their names to Palestinian Authority security organizations for execution, according to Israeli defense officials. Fortunately, Israel has been able to foil some of these attempted executions. On May 31, Israeli police arrested six heavily armed Palestinians, at least four of whom were Palestinian Authority policemen, during the attempted abduction of Assad Rajabi, a Palestinian resident of Jerusalem. Also on May 31, three Palestinian Authority policemen attempted to break into the Jerusalem home of Mohammed Abu-Meleh. When family members began screaming, Arab soldiers arrived and the Palestinian Authority policemen fled.

These extrajudicial murders and their endorsement by the Palestinian Authority leadership cast strong doubt on the leadership's commitment to peace. The Palestinians must be on notice that these senseless acts must stop. The vigilante murder of realtors by Palestinian security officials is an egregious violation of human rights and of international norms. The killings must be renounced by the Palestinian leadership and end immediately. If not, I, for one, will actively

oppose the continuation of any aid to the Palestinian Authority.

This is the kind of action we identify with Nazis. This is the kind of racist activity that the planet holds to be reprehensible and unacceptable.

Mr. Arafat, you owe it to the world to stop this kind of killing, to protect people engaged in decent commerce, and I think everybody in the United States should take notice. There can be no peace process with murders, torturing, and killings of innocent people only because they sold to somebody who might not be racially or religiously acceptable. That is the behavior of Nazis. That is not a behavior that this country will tolerate.

For every person who went to the Holocaust Museum, consider carefully how it begins. Look at what is happening in Palestine now. Mr. Arafat, I think it is time for you to publicly condemn it. It is time for your security forces to provide security to the innocent, and we serve notice that the United States, at least this House, is paying careful attention to deeds, not simply words.

Mr. HAMILTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment, and I want to commend the two gentlemen from New York, [Mr. PAXON] and [Mr. ENGEL], and the gentleman from Florida [Mr. DEUTSCH], and the gentleman from New Jersey [Mr. SAXTON], for introducing this amendment and pushing it forward.

I think no matter how any of us might feel about the death penalty, all of us would find it deeply troublesome that it might be applied to someone involved in a commercial transaction, the sale of land, and that it would be applied based on an ethnic, religious, or nationalist identity of the buyer or the seller.

□ 1515

It is simply outrageous, as the Speaker has said and others, that any member of the Palestinian leadership would make any statement that, implicitly or otherwise, endorses individuals taking the law into their own hands to carry out acts of vengeance against other Palestinians who may be involved in such land sales.

The Palestinian authority has made some positive steps toward establishing accountable institutions of governance. I believe they are trying to establish a system based on the rule of law. But as the instances that have been called to our attention show, they have a very long way to go. These statements that have been quoted by their leaders are a definite step backward.

I want to make clear that all of us should understand just how sensitive the transfer of land by Palestinians to Israelis and Israelis to Palestinians is. Who controls that land is one of the central issues with which the peace process must grapple. For many Israelis and Palestinians, the sale of land to

the other party is perceived as an act of treason.

The Israeli press, for example, has given extended coverage to a protracted and very ugly legal battle in Israel where one Israeli Jew has filed suit against an Israeli Jewish neighbor for selling their family home to an Israeli Arab. The Israeli Jewish family who sold the home has been subject to extreme harassment, as well as to court action.

Mr. Chairman, I highlight this case only to underscore how sensitive an issue we are confronting here, and how extensive the sensitivities are on the part of all parties. I support this amendment because I do not support anyone being put to death for the sale of land. I am critical of the lack of adherence to the rule of law by the Palestinian authority. I understand; there are legitimate concerns about various activities involving land sales at this point. I want to underscore to the Palestinians and the Israelis the importance of resolving these disputes when they occur on an individual level through a credible legal process, and on the larger level of issues between the parties at the negotiating table. I urge the adoption of the amendment.

Mr. SAXTON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to first commend the gentleman from New York [Mr. PAXON], the gentleman from New York [Mr. ENGEL], and the gentleman from Florida [Mr. DEUTSCH] for bringing this matter to the floor.

Mr. Chairman, as everyone has heard here today, it is not pleasant but it is not difficult to describe the actions of the Palestinian Authority and their policy, which is simply stated as: Death to those who would sell land to Jews and other Israelis.

Unfortunately, there have been those of us who have stood in this well a year ago and 2 years ago and suggested that things were not as we all had hoped they would be with the peace process. This is perhaps the most dramatic action that has been taken that serves as an example, but only one of a number of examples, of the attitude of the leadership of the Palestinian Authority, of course, involving most directly Yasser Arafat.

Over the last 2 years in particular, we have time and again called upon the Palestinian Authority to recognize the right of Israel to exist. But instead, we heard nothing. We also called, time and again, for the fulfillment of the promise that Yasser Arafat made in the Oslo Accords and in subsequent statements when he promised to condemn terrorism but never did.

We also view a map of Palestine on Palestinian letterhead which includes the land of Israeli, and we have spoken out as forcefully as we could to suggest to the Palestinian Authority that it would be a good idea to remove that parcel of land that is known to the West and to the world as the State of

Israeli from inclusion on their map, but it is still a part of their map.

We have heard speeches aplenty from Yasser Arafat, one set of words in English and yet another set of words, quite different, in his native tongue. So when we began to hear in the media and hear other reports that there was a new Palestinian policy or a reawakened Palestinian policy of threatening to kill, in the beginning, those who sold land to Israelis, and particularly to Jews, and then later when we heard that in fact, Palestinians who carried out that act that we consider in a free society an act of daily commerce, without discrimination, in this country, at least, and in most of the Western world, and, in fact, in most of the world, about who can sell land to whom; when we saw that policy carried out at least on three occasions when Palestinians were, in fact, killed, exhibiting or carrying out their rightful act of commerce, selling land to others, it reminded, I guess, the Western world that perhaps those of us who have been talking about the recognition of Israel as was promised, who have been talking about the condemnation by the Palestinian Authority of terrorism, who have been talking about the use of the territory or the country of Israel included in the map of Palestine, and who have listened carefully in Arabic and in English to Yasser Arafat's speeches; in short, I think it would be good to say that if Yasser Arafat does change his actions, we are all for peace. But in light of the fact that Yasser Arafat has established a clear track record, the most dramatic part of which is killing his own people who sell land to Jews, it seems to me that it is incumbent upon us to follow the leadership of those who say that we should not support this type of a regime.

The question to my fellow Members is simply this: What kind of regime are we supporting, with upward of \$100 million a year in financial assistance? A regime that has this record, that has been spelled out clearly by other Members before me here today, including the Speaker. Is this regime going to uphold basic human rights or human law? Their record clearly, clearly suggests otherwise.

Mr. Chairman, therefore I join with those who say today that it is time for us to take stock, review our policy on aid to the Palestinian Authority, and I urge all Members to vote in the affirmative on this amendment.

Mr. DEUTSCH. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think for most of us in the Congress and most Americans, if we have heard about the statements of the Justice Minister of the Palestinian Authority or, for that matter, if we have heard or read the statements of Yasser Arafat himself on this issue, it is almost impossible for us to believe that they have actually said what they have said. The statements, which, in fact, have led to deeds as well, are so

far from any concept that we as a society and we as a world society hold as values that we want to live by, it is just absolutely almost literally unbelievable.

There are particular parts of the statements, and the activities, I think are particularly offensive. It truly is a pleasure this afternoon to join the Speaker in his comments toward this point as well. Because the statements have not just been to prohibit commerce, but the statements absolutely, specifically have been directed against Jews.

It is a scary thing, it is a scary thing in 1997 that someone who is a leader by definition on the world stage, a leader by definition in the Middle East, Yasser Arafat, at the present time specifically says that if someone sells property to a Jew that the death penalty is an appropriate punishment, without mincing words, without hiding it; saying the same in English and Arabic in terms of his statements: that if someone sells property to a Jew, the appropriate penalty is death.

It is hard in some ways to conceive how the Israelis can stay in the peace process and negotiate with someone who has that frame of reference, who speaks that way, and, in fact, on many occasions has acted that way as well.

There is no alternative to a peace process, but I think that my colleagues and the American people unfortunately need to understand some of the challenges that the Israelis are literally living and occasionally dying with in terms of their partners in peace.

It is also, again, not just the statements but what appears, unfortunately, to be consistent evidence of state apparatus being used to kill people for that action up to the point that has been mentioned, but just absolutely incredulous that it occurred, and irrefutably this occurred; that members of the Palestinian police force actually entered Israel, kidnapped someone who was a land trader, and but for really luck and circumstance, were prevented from leaving Israel and the kidnapping was foiled by Israeli security forces, and using state apparatus to carry through this incredulous threat and action.

Mr. Chairman, I urge my colleagues to support this amendment. I think it is a clear statement that we are making that as partners in a peace process, and the Palestinian Authority is the United States's partner in the peace process, this is not just a peace process involving the Israelis and the Palestinians, the United States of America, this Congress, the American people are part of that process as well. We are a part of it in many ways. We are a part of it directly in terms of our aid, and we are part of it in terms of our support at every level. It is a well known fact that both Oslo I and Oslo II were signed in the city of Washington.

But I think what is clear and what we are saying is that there is a limit to our partnership. It is absolutely clear

that the responsibility of Yasser Arafat is not to call for the death of Jews or the death of Arabs that sell property to Jews, but his responsibility is clearly to condemn that activity, to do everything within his power to prevent it from happening. That is the partner who will bring peace and that is the partner who we, the United States, need as our partner in this process if we are to achieve peace in that part of the world.

He must do it. If he does not, I believe very clearly that this Congress will take appropriate action as well.

Mr. GILMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I want to take this opportunity to thank the gentleman from New York [Mr. PAXON] and the gentleman from New York [Mr. ENGEL] for taking the initiative and offering a sense-of-Congress amendment for our conversation relating to the congressional condemnation of the disclosure of the death penalty for land sales to Jews by Palestinians and its support by Chairman Yasser Arafat.

I also want to thank the Speaker, the gentleman from Georgia [Mr. GINGRICH], for his eloquent remarks in support of this amendment. In recent weeks senior officials of the Palestinian Authority announced that the death penalty would be imposed on anyone who sells land to Jews, and three Palestinian men have been murdered, most likely by Palestinian Authority security forces, despite the lack of any legislation implementing the death penalty by the Palestinian Legislative Council.

□ 1530

Approximately 1 month ago, I wrote to Palestinian Legislative Council Speaker Ahmed Kurei urging that the Palestinian Legislative Council not take up such a heinous proposal. The United States has provided substantial assistance to the Palestinians based on the assumption that the rule of law would prevail, that there would be no official sanctions to extrajudicial killings or any violations of human rights, and that basic principles of peaceful and normal relations would be adopted.

Regrettably, the situation in the Palestinian autonomous region has deteriorated considerably, and the respect for human rights has been sorely lacking. Accordingly, this amendment notes that Congress condemns in the strongest possible terms the abhorrent, the abominable policy and practice of murdering Palestinians for sales of land to Jews, and we demand that this practice not only be condemned and renounced by the Palestinian leadership but that it end immediately.

This amendment further notes the sense of Congress in withholding direct assistance to the Palestinian Authority, supporting correspondence that the Senate International Relations Chairman HELMS and I recently sent to

Secretary of State Madeleine Albright. An additional \$1.25 million has been on hold, funds that were intended to be spent on training for the finance ministry staff, until repudiation of this practice takes place.

The Paxon-Engel amendment, Mr. Chairman, also expresses strong doubt that the Palestinians are in compliance with their commitments to Israel because of this despicable practice, which is in violation of the spirit of the Oslo accords and of international law. This amendment also urges the President to take this practice fully into account in determining when the Palestinian Authority is in compliance with its commitments.

Accordingly, Mr. Chairman, this amendment is fully supported and accepted by our committee, with the hope that Chairman Arafat and the Palestinian Authority and this administration will closely heed our grave congressional concerns. I invite my colleagues to fully support this measure.

Mr. NADLER. Mr. Chairman, I move to strike the requisite number of words.

I rise in strong support of this amendment, and I would like to join my colleagues in congratulating the gentleman from New York [Mr. PAXON], the gentleman from New York [Mr. ENGEL], and the gentleman from Florida [Mr. DEUTSCH] for introducing it.

Mr. Chairman, this amendment would express the sense of Congress to condemn the Palestinian Authority for its policy and practice of executing Palestinians who sell land to Jews. This policy we have heard described today is an obnoxious policy and an illegal policy, a racist policy; obviously, it is all those.

We have also heard that Chairman Arafat on occasion, I spoke to one Member who told me that Chairman Arafat looked him in the eye and said, "We do not condone this, we condemn this." Chairman Arafat has a long history of condoning things in one sphere, to one audience, and condemning them to another, or promoting them to one audience and denying them to another.

Mr. Chairman, Yasser Arafat said the following. He said: "We are taking forceful steps against those who do this. Recently, a decision was passed to punish anyone who sells land, property or homes. We are keeping track of land dealers and punishing them." This was an interview with the Lebanese newspaper Al-Hawadath on May 16, 3 weeks ago.

"We are keeping track of land dealers and punishing them." Well, what does punish mean?

Mr. Arafat's appointee as justice minister, Freih Abu Middein said last week, on June 4: "The land dealers must learn a lesson." This is the Palestinian Authority justice commissioner. "We have a list of names. The people included on the list and others shall be put on trial. The list includes

more than 310 names." Interviewed with Al-Ayyam. They will be put on trial.

And then he says, a day later in the Washington Post, the same justice minister, "Since we are talking about committing suicide, I advise the land dealers to commit suicide instead of getting killed and having their bodies thrown here and there." So that is what a trial means to the Palestinian Authority justice minister.

When Chairman Arafat says, "We will punish them," obviously this is what they mean. Extrajudicial punishment, murder of people for ex post facto sins, the sins being committed before the announcement that it was a terrible thing to do, and this terrible thing being sale of land to Jews. We understand that sale of land to Jews by Arabs, or vice versa, for that matter, is a sensitive matter and a topic for discussion, but not a topic for a cause for murder.

Mr. Chairman, we have to understand, when we look at this, in what context this happens. We keep talking about the peace process, but rarely do we hear it mentioned, rarely are we reminded of how asymmetrical the peace process is. What is this basic peace process that we keep talking about?

The basic idea of the Oslo accord, the basic idea of the Oslo accord is that Israel is to surrender something tangible, control over land, in return for something intangible, promises of security; that the Arabs, the Palestinians, are to promise that they have given up their hope of destroying Israel and murdering its entire population and driving it into the sea, which of course has been the official position of the Palestinians, of the PLO, for decades. They are supposed to promise "We have given that up." They have said they have.

They are supposed to repeal the charter which calls for abolishing Israel and eliminating all its population. They are supposed to show by deed that they are against terror, against armed attack against Israelis, and not only condemn it but do everything they can to capture terrorists, to prevent terrorism, to give information to the Israelis, to cooperate in stopping this, in return for which they are to be given control over land, for peace.

It is a lot to ask of someone to give something tangible, land, control, control from which they can exercise measures to enhance their own safety and security, in return for something intangible, promises, words and pieces of paper. But at least if that peace process is going to work, the whole idea, we should spend a few years before we got to the final status negotiations and give the Palestinians an opportunity to show that they meant it, that they would in fact repeal the charter eliminating, promising to eliminate Israel, that they would stop terrorism.

I regret to say they have not been showing this and this policy of murdering Palestinians who sell land to Jews

is one further indication of basic untrustworthiness. If this is not reversed very quickly, we will have to conclude that the peace process may not be won, may not go in the direction it should go. And so, Mr. Chairman, I, therefore, support this amendment, and I hope it may be somewhat effective in causing the Palestinian Authority to rethink its course and to decide finally that if peace is to be achieved, a little honesty and sincerity on the part of the Palestinians is necessary.

Mr. CUNNINGHAM. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I would like to thank the gentleman from New York [Mr. PAXON] and the gentleman from New York [Mr. ENGEL], but I would also let them know that the Members from California and I think every Republican and Democrat in this House and in the Senate will be supportive of this amendment.

Will we have peace in the Middle East? I do not believe so in my lifetime. I have been in Israel, like many of the Members. I flew there, flew fighters in Israel. I think that there will be a tempo of high activity and a tempo of low activity. But in our lifetime, I do not believe that there will be peace. I think from Ronald Reagan to George Bush to President Clinton, that that effort, that what we need to do is keep the pressure on to keep moving in that direction, just like we must in Bosnia as well.

But I think we do not have to go very far. There is part of a bigger problem that I would like to speak to my colleagues about. This is a symptom of a much larger problem. All you have to do is look inwardly to our own country.

This last month, all you had to do is be a cop in Washington, DC, and three of them were executed; or it was not too long ago and even today that you could end up buying a home in the wrong district, the wrong neighborhood, and you could end up with a burning cross on your front yard and, yes, you could be killed. This is a symptom of what we are seeing, I think, in the Middle East as well.

But there is a much larger, bigger problem of the terrorist activity. It was recently stated that in Iran there was a moderate cleric appointed and that possibly our negotiations with Iran might be easier. I think that is an oxymoron, a moderate cleric. Because if you look around the world between Iraq, Iran, and Libya, where most of the fundamentalist Islamic groups come out of are those three countries. Just like in France and England and Germany and, yes, even on our World Trade Center, these are all symptoms of the same despicable disease called bigotry and Islamic fundamentalism.

I think that if you look at Bosnia today, Izetbegovic, the Islamic leader in Bosnia, has over 10,000 Mujahedin and Hamas that have assembled in that country, which is a real threat to this country, with the same kind of bigotry

toward the outside world, not only to Jews but to Christians as well. And it is an area in which this country must stand, as the Speaker said, and stand strong as a world leader.

With that, Mr. Chairman, I would say that we rise, I believe all of us, 100 percent, in support, and we would like to thank the gentleman from New York [Mr. ENGEL], the gentleman from New York [Mr. PAXON], and the gentleman from New Jersey [Mr. SAXTON].

Mrs. LOWEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in strong support of this amendment which condemns the deplorable policy and practice of murdering Palestinians because they have sold land to Jews.

I want to thank my colleagues the gentleman from New York [Mr. ENGEL], the gentleman from New York [Mr. PAXON], and the gentleman from New Jersey [Mr. SAXTON] for introducing this amendment. There has been considerable evidence in recent weeks that Palestinian officials have endorsed, either directly or tacitly, the death penalty for Palestinians who sell land to Jews. As a result, at least three Palestinian businessmen have been ruthlessly murdered. This must not be allowed to happen again.

Whether Palestinian officials have explicitly supported this policy or approved of it with a wink or a nod is irrelevant. The facts are that Palestinians are being killed for selling land to Jews and the Palestinian authority has done nothing to stop it. This amendment calls on all Palestinian officials to unequivocally condemn this policy and bring the murderers to justice now.

Mr. Chairman, the United States has afforded the Palestinian authority several benefits that come with internationally recognized autonomy. We have entered into cooperative agreements with them on regional issues. We have engaged in direct diplomatic negotiations with them. We have provided them with economic assistance.

In return we must demand adherence to the rule of law. These recent killings, which have even been linked to Palestinian security officials, represent a total disregard for the rule of law. We must demand more. If the parties are going to work together in the Middle East to bring a real peace to that region, and I for one heartily endorse our active work as facilitators to work with the parties to move us closer to peace, then we must demand more from the parties.

I rise in strong support of this amendment, Mr. Chairman, and urge its adoption.

□ 1545

Mr. FOX of Pennsylvania. Mr. Chairman, I move to strike the requisite number of words.

There can be peace in the Middle East in our lifetime, as long as all parties live up to their end of the bargain. However, the Palestinian authority,

under the leadership of Yasser Arafat, who professes to be a partner for peace in the Middle East, does things that show the opposite is his real intention. He issues an edict that those Palestinians who sell land to Jews will be killed. In fact, three Palestinians have already been killed and a fourth kidnapped. Arafat's actions show he is not a partner for peace.

Moreover, Arafat does not remove from the Palestinian charter that clause which calls for the destruction of Israel. Again, Arafat's action shows he is not a partner for peace.

Yet in Israel, through the Prime Minister, Netanyahu, he has complied with the Oslo Accords and the peace process by having his government withdraw from Hebron, by restoring funds to the Palestinian authority that were promised, and by returning prisoners who had actually committed crimes against Israelis.

I stand to support the Paxon-Engel amendment because I believe it will help bring about peace, but we can only have that peace if we start having positive actions from Mr. Arafat to match his words when he calls for peace.

Mr. LINDER. Mr. Chairman, I rise today to denounce in the strongest possible terms the ghastly policy of the Palestinian Authority, which imposes the death penalty on Palestinians who would sell their land to a Jew. Clearly, this abhorrent practice is contrary to the Oslo agreements, international law, and common decency.

I would like to join my colleagues—the gentlemen from New York, Mr. PAXON and Mr. ENGEL, the gentleman from New Jersey, Mr. SAXTON, and the gentleman from Florida, Mr. DEUTSCH—in condemning the actions of the Palestinian Authority.

Time and time again, the United States has tried to work with the Palestinian Authority in good faith, but our efforts have not been reciprocated. We can not help this holy region toward peace of one of the parties abandons all sense of decency and order.

I urge my colleagues to support this condemnation, and I urge Mr. Arafat to renounce this practice of murder and racism.

The CHAIRMAN pro tempore (Mr. EWING). The question is on the amendment offered by the gentleman from New York [Mr. PAXON].

The amendment was agreed to.

AMENDMENT OFFERED BY Mr. PAYNE

Mr. PAYNE. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. Is the amendment one of those specifically listed in the order of the House of June 5, 1997?

Mr. PAYNE. No, it is not.

The CHAIRMAN pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. PAYNE: At the end of the bill add the following (and conform the table of contents accordingly):

TITLE XVIII—MISCELLANEOUS PROVISIONS

SEC. 1801. ASSISTANCE TO THE DEMOCRATIC REPUBLIC OF CONGO.

Notwithstanding section 620(q) of the Foreign Assistance Act of 1961 or any other pro-

vision of law, assistance under chapter 1 of part I of the Foreign Assistance Act of 1961 (relating to development assistance) and under chapter 10 of part I of such Act (relating to the Development Fund for Africa) may be made available for the Democratic Republic of Congo.

Mr. PAYNE (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN pro tempore. Pursuant to the order of the House of June 5, 1997, the gentleman from New Jersey [Mr. PAYNE] and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey [Mr. PAYNE].

Mr. PAYNE. Mr. Chairman, I rise in support of lifting the ban on all humanitarian assistance previously blocked for Zaire, now the Democratic Republic of Congo.

My amendment also includes waiving section 620(q) as it pertains to the Brooke amendment, specifically in regard to the Democratic Republic of Congo. We used these waivers in the past for Egypt, Ethiopia, and Nicaragua when we wanted to assist our allies.

Mr. Chairman, the Brooke amendment was placed on Zaire in 1991 when the corrupt dictatorship of Mr. Mobutu was in full force. On April 17 of this year, the gentleman from California [Mr. ROYCE] and I, along with all the members of the Subcommittee on Africa, introduced H.R. 115, a bill that called on Mobutu to step down as President of Zaire. H.R. 115 was passed overwhelmingly by this House and in response Mobutu Sese Seko resigned last month and no longer can harm the people of the Congo.

This bill is symbolic in that it was the first step in getting rid of the cruel dictators in Africa, several of whom still exist, that prevent true democracy from flourishing.

Before I came to Congress and for many years after that, I have spoken out on the corrupt military regime of Mr. Mobutu. It is alleged that Mr. Mobutu has a wealth of several billion dollars in foreign bank accounts. I introduced in the 102d Congress, in 1993, a resolution calling for the administration to draw on its power to have Mr. Mobutu resign and leave Zaire.

We all know that the Mobutu regime started with Patrice Lumumba, who was captured and killed back in the early 1960's, and there were considerable activities during the cold war. Zaire suffered from 75 years of Belgium colonialism, then France's influence on the continent, first as a colonial ruler of most of the western and central parts of the continent, then as economic and political patron of the postindependent governments. Zaire followed with 7 years of chaos and 31 years of Mobutu's dictatorship, laying a foundation for its current crisis.

Laurent Kabila, leader of the Alliance of the Democratic Forces for the liberation of the Congo, has done what so many others have wanted to do for the people of Zaire for 32 years; to rid it of Mr. Mobutu.

Today 1.1 million refugees as well returned to Rwanda and Burundi. The alliance has the support of the neighboring countries of Burundi, Rwanda, Zambia, and Angola.

I am not a pro- or anti-Kabila person, but I feel that we must start to assist the Congo in getting over the tremendous harm done by the Mobutu regime.

I met with Mr. Kabila in Goma in January of this year and traveled to the Congo recently with Mr. CAMPBELL and met with Mr. Karaha, the foreign affairs minister, and Mr. Mawapanga, the finance minister. Both ministers were very qualified and seemed anxious to begin to move the country forward to improve the quality of life for the people in that distressed land.

Mr. Kabila stated at that time that he would hold elections within 2 years. It is my understanding that Mr. Kabila will bring about a transitional government.

It would behoove us to help bring calm and order and, if possible, use our influence to allow the people to learn how democracy works and to assist that country as it moves toward democracy.

There are no roads, no independent media, no functioning police, and there has not been a census taken in years. Some believe that there are between 40 and 50 million people in Zaire, but no one really knows.

When I began my statement, I referred to a former U.S. policy in Africa that was dictated by the cold war. Now that the cold war is over, I think we need to assist in areas where we can to move toward a new democratic society in these former dictatorial countries.

Mr. Chairman, I would ask that we continue to monitor and that we work toward planning and assisting this country move toward elections, and I would hope that we would have support for this resolution.

The CHAIRMAN pro tempore. Does any Member seek time in opposition to the amendment?

Mr. GILMAN. Mr. Chairman, I ask unanimous consent that I be allowed to claim the time in opposition.

The CHAIRMAN pro tempore. Without objection, the gentleman from New York [Mr. GILMAN] is recognized for 5 minutes.

There was no objection.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, there is a new beginning in the Democratic Republic of Congo. The old kleptocratic regime of Mobutu Sese Seko is now in the ash bin of history and, in many ways, the lives of the Congolese people can only improve.

Nevertheless, it is far too early to judge the merits of the new Kabila regime. A delegation led by a former colleague, and now Ambassador to the

United Nations, Bill Richardson, returned from Kinshasa only a few hours ago. Another delegation from the Agency for International Development is still in the Congo and will not return for 2 more weeks. And right now the administration has no plan for any assistance to the Congo.

The Committee on International Relations has not been asked by the administration to waive the Brooke amendment, and many questions remain about human rights and the treatment of the Rwandan Hutu refugee populations. On Sunday, an article in the Washington Post detailed numerous allegations of massacres of innocent civilians by Kabila's troops in eastern Congo.

Today, human rights organizations and humanitarian agencies still do not have access to large portions of eastern Congo, the location of many of the refugees.

While these questions may all be answered satisfactorily in due time, I do not intend to oppose the amendment at this time. I will note that this is only one stage in the legislative process. In the coming days, before we go to conference, we will be putting the Kabila government on notice to support democracy and human rights before aid can go forward.

Mr. Chairman, we are pleased at this time to accept the gentleman's amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New Jersey [Mr. PAYNE].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. KENNEDY OF RHODE ISLAND

Mr. KENNEDY of Rhode Island. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. Is the amendment one of those specifically listed in the order of the House of June 5, 1997?

Mr. KENNEDY of Rhode Island. Yes, it is, Mr. Chairman.

The CHAIRMAN pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. KENNEDY of Rhode Island: At the end of the bill add the following (and conform the table of contents accordingly):

DIVISION C—MISCELLANEOUS PROVISIONS

SEC. 2001. SENSE OF THE CONGRESS RELATING TO INDONESIA MILITARY ASSISTANCE.

(a) FINDINGS.—The Congress finds the following:

(1)(A) Despite a surface adherence to democratic forms, the Indonesian political system remains strongly authoritarian.

(B) The government is dominated by an elite comprising President Soeharto (now in his sixth 5-year term), his close associates, and the military.

(C) The government requires allegiance to a state ideology known as "Pancasila", which stresses consultation and consensus, but is also used to limit dissent, to enforce social and political cohesion, and to restrict the development of opposition elements.

(2) The Government of Indonesia recognizes only one official trade union, has re-

fused to register independent trade unions such as the Indonesian Prosperity Trade Union (SBSI), has arrested Mughtar Pakpahan, the General Chairman of the SBSI, on charges of subversion, and other labor activists, and has closed the offices and confiscated materials of the SBSI.

(3) Civil society organizations in Indonesia, such as environmental organizations, election-monitoring organizations, legal aid organizations, student organizations, trade union organizations, and community organizations, have been harassed by the Government of Indonesia through such means as detentions, interrogations, denial of permission for meetings, banning of publications, repeated orders to report to security forces or judicial courts, and illegal seizure of documents.

(4)(A) The armed forces of Indonesia continue to carry out torture and other severe violations of human rights in East Timor, Irian Jaya, and other parts of Indonesia, to detain and imprison East Timorese and others for nonviolent expression of political views, and to maintain unjustifiably high troop levels in East Timor.

(B) Indonesian civil authorities must improve their human rights performance in East Timor, Irian Jaya, and elsewhere in Indonesia, and aggressively prosecute violations.

(5) The Nobel Prize Committee awarded the 1996 Nobel Peace Prize to Bishop Carlos Felipe Ximenes Belo and Jose Ramos Horta for their tireless efforts to find a just and peaceful solution to the conflict in East Timor.

(6) In 1992, the Congress suspended the international military and education training (IMET) program for Indonesia in response to a November 12, 1991, shooting incident in East Timor by Indonesian security forces against peaceful Timorese demonstrators in which no progress has been made in accounting for the missing persons either in that incident or others who disappeared in 1995-96.

(7) On August 1, 1996, then Secretary of State Warren Christopher stated in testimony before the Committee on Foreign Relations of the Senate, "I think there's a strong interest in seeing an orderly transition of power there [in Indonesia] that will recognize the pluralism that should exist in a country of that magnitude and importance."

(8) The United States has important economic, commercial, and security interests in Indonesia because of its growing economy and markets and its strategic location astride a number of key international straits which will only be strengthened by democratic development in Indonesia and a policy which promotes political pluralism and respect for universal human rights.

(b) SENSE OF THE CONGRESS.—It is the sense of the Congress that the United States should not provide military assistance and arms transfers for a fiscal year to the Government of Indonesia unless the President determines and certifies to the Congress for that fiscal year that the Government of Indonesia meets the following requirements.

(1) DOMESTIC MONITORING OF ELECTIONS.—(A) The Government of Indonesia provides official accreditation to independent election-monitoring organizations, including the Independent Election Monitoring Committee (KIPP), to observe national elections without interference by personnel of the Government or of the armed forces.

(B) In addition, such organizations are allowed to assess such elections and to publicize or otherwise disseminate the assessments throughout Indonesia.

(2) PROTECTION OF NONGOVERNMENTAL ORGANIZATIONS.—The police or military of Indo-

nesia do not confiscate materials from or otherwise engage in illegal raids on the offices or homes of members of both domestic or international nongovernmental organizations, including election-monitoring organizations, legal aid organizations, student organizations, trade union organizations, community organizations, environmental organizations, and religious organizations.

(3) ACCOUNTABILITY FOR ATTACK ON PDI HEADQUARTERS.—As recommended by the Government of Indonesia's National Human Rights Commission, the Government of Indonesia has investigated the attack on the headquarters of the Democratic Party of Indonesia (PDI) on July 27, 1996, prosecuted individuals who planned and carried out the attack, and made public the postmortem examination of the five individuals killed in the attack.

(4) RESOLUTION OF CONFLICT IN EAST TIMOR.—

(A) ESTABLISHMENT OF DIALOGUE.—The Government of Indonesia is doing everything possible to enter into a process of dialogue, under the auspices of the United Nations, with Portugal and East Timorese leaders of various viewpoints to discuss ideas toward a resolution of the conflict in East Timor and the political status of East Timor.

(B) REDUCTION OF TROOPS.—The Government of Indonesia has established and implemented a plan to reduce the number of Indonesian troops in East Timor.

(C) RELEASE OF POLITICAL PRISONERS.—Individuals detained or imprisoned for the nonviolent expression of political views in East Timor have been released from custody.

(5) IMPROVEMENT IN LABOR RIGHTS.—The Government of Indonesia has taken the following actions to improve labor rights in Indonesia:

(A) The Government has dropped charges of subversion, and previous charges against the General Chairman of the SBSI trade union, Mughtar Pakpahan, and released him from custody.

(B) The Government has substantially reduced the requirements for legal recognition of the SBSI or other legitimate worker organizations as a trade union.

(c) UNITED STATES MILITARY ASSISTANCE AND ARMS TRANSFERS DEFINED.—As used in this section, the term "military assistance and arms transfers" means—

(1) small arms, crowd control equipment, armored personnel carriers, and such other items that can commonly be used in the direct violation of human rights; and

(2) assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 (22 U.S.C. 2347 et seq.; relating to international military education and training or "IMET"), except such term shall not include Expanded IMET, pursuant to section 541 of such Act.

Mr. KENNEDY of Rhode Island (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. KENNEDY of Rhode Island. Mr. Chairman, the amendment I am offering today will attempt to confirm a commitment from Indonesia to cease its human rights violations throughout that country and, in particular, East Timor.

It will state the sense of this Congress that the United States should impose military sanctions on the country of Indonesia if its human rights record fails to improve.

It is very similar to provisions already included in the original version of the Foreign Policy Reform Act that were accepted in committee by voice vote.

Because the foreign aid portion of this bill is not before us today, I am offering this sense of Congress amendment in its place.

As many Members know, last week the Indonesian Government announced that they have dropped their participation in the expanded IMET military training program and have scrapped plans to buy nine F-16 fighter planes.

This action on the part of Indonesia is a major victory for all of us in this House who believe in the importance of human rights and for those of us who have worked hard to bring about change in the country of Indonesia.

It was clear they were feeling defensive, it was clear they were feeling vulnerable and, as such, they did not want to be beat to the punch and embarrassed by this Congress' action with respect to those planes. And this bill they wanted to get out of the way before this Congress expressed its strong opinion on the human rights abuses in Indonesia.

We cannot rest on this victory, however, and in fact Indonesia's official statement on this issue declared that the criticisms of this body were, and I quote, "wholly unjustified." However, the death of one-third of the people of East Timor for the past 21 years, nearly one-third of the whole population, is evidence enough that these criticisms are indeed justified.

I believe that through the visit that I have made to East Timor myself, personally, my own visits not only with the Government officials representing the Indonesian Government but also with the human rights community who are stationed there in East Timor, that I have a good appreciation of this issue.

I have spoken to both the Nobel Peace Prize winner, Jose Ramos Horta, on several occasions, both here in Washington and in my own State of Rhode Island, and I have spoken to Carlos Belo, Bishop Belo, from the East Timor parish. He has given me many examples of the terrible injustices that occur on a daily basis in East Timor by the Government of Indonesia.

Mr. Chairman, these abuses are occurring in East Timor in large part due to the free hand that the military has given in suppressing the independence movement in East Timor. There is no question that the attacks and abuses are escalating throughout the country, and I am aware that there has been much violence preceding and surrounding the so-called democratic election that has just taken place there. But anybody watching that election knows that it is far from ever being considered a democratic election when the Indonesian Government outlaws campaigning on the part of the opposition.

□ 1600

Unfortunately, Indonesia repeatedly denies that there is a problem with the

human rights abuses in their country, and yet the evidence is so crystal clear. In fact, there have been instances like the St. Cruz massacre when it was captured on tape and the tape tells the truth, the truth that the Indonesian Government wants to refuse to believe, and yet we have the evidence and the statistics and the weight of the human rights community and our own State Department report. I might add, the Department of State has considered Indonesia one of the top countries that this country finds is violating human rights.

So, in this legislation, the sense of Congress, we have called for various policy reforms including free and fair elections in East Timor, respect for labor rights, protection of nongovernmental organizations, rights for the East Timorese people, and, of course, for the fair adjudication and release of political prisoners.

Mr. Chairman, that is not the current situation in East Timor. Just wearing a yellow T-shirt, celebrating Bishop Belo's receipt of the Nobel Peace Prize is enough to get you arrested and thrown in jail. In East Timor, the free and fair election, there have not been any. Protections for nongovernmental organizations, that has a dismal report.

Mr. Chairman, I would like to conclude with this one point: I visited the ICRC, the International Committee on Red Cross, and they told me they have never been busier. Well, if any of my colleagues know what the ICRC does, they look out for human rights abuses. So if they have never been busier, we know what they are talking about. It means there have never been as many human rights abuses as are going on this day.

I want to thank the gentleman from New York [Mr. GILMAN] and the gentleman from California [Mr. BERMAN] particularly for their efforts to bring us this amendment to the floor.

Mr. BEREUTER. Mr. Chairman, I do rise in objection to the Kennedy amendment because it is unbalanced in its characteristics, and it is biased by referring only to one side of the violence that has occurred and continues to occur in Indonesia.

And in contrast to what the gentleman from Rhode Island has indicated, I feel that the recently announced self-denial of E-IMET by Indonesia and their expression of no interest in purchasing American-made F-16's is not a major victory for the United States, as the gentleman intends, it is an unfortunate blow to our relationship.

The E-IMET program, or Extended IMET, is designed specifically to encourage better human rights practices and proper civil action, methods of operating and living in a civil society, for military and civilian personnel that take advantage of this training program in the United States. The F-16 sale, of course, was not something that Indonesia itself sought, but the Clinton

administration, trying to find some way to dispose of F-16's that it sold to Pakistan but which could not be delivered because of the Pressler amendment, was looking for other purchasers. They found Indonesia as a possible sales prospect.

So it is understandable that Indonesia now, faced with continued opposition and criticism in this Congress, some of it entirely justified, admittedly, but an unbalanced kind of objection and a denial even of something that is in our national interest, the E-IMET program, naturally does not want that fight. The E-IMET program is not that important to them, but it certainly is a loss to us in maintaining good relations with Indonesia and to our effort to improve human rights procedures in Indonesia.

Let us take a look at some of the reasons why Indonesian-American relations are important to this country. First of all, surprising to most people in this country, Indonesia is now the fourth most populous country on Earth. There have been harsh, one-sided amendments offered in this Congress and the committee and on the floor in the past which have reduced our credibility with the Indonesian Government and the military. Why? Because the amendments, this one in particular, will be seen in Indonesia as Indonesian bashing if it is not such criticism offered in some kind of equitable and valid manner. That is to say, if it is not balanced, or if we do not remove the one-sided bias to it.

Indonesia is not Burma or Iraq. It is an important country, a key member of ASEAN, APEC, the ARF, the OIC, and the United Nations. Indonesia has played a very important role in the settlement in Cambodia and peace between the Philippines and the Moros Liberation Front. Indonesia has contributed to efforts to resolve the dispute over the Spratly Islands and has contributed to the Korean Energy Development Organization. Indonesia supported the gulf war efforts against Iraq.

Indonesia's sealanes and air routes are important to United States forces. We, of course, have major economic interest in Indonesia. Our annual bilateral trade is about \$12.3 billion. But these are not reasons enough to justify or to be silent about abuses that exist there. I want to try to make this amendment of the gentleman from Rhode Island [Mr. KENNEDY] a balanced amendment.

Mr. Chairman, therefore, I will offer an amendment to the Kennedy amendment.

AMENDMENT OFFERED BY MR. BEREUTER TO THE AMENDMENT OFFERED BY MR. KENNEDY OF RHODE ISLAND

Mr. BEREUTER. Mr. Chairman, I offer an amendment to the amendment. The Clerk read as follows:

Amendment offered by Mr. BEREUTER to the amendment offered by Mr. KENNEDY of Rhode Island:

In the Findings Section (a), after (4)(A), insert the following new sections (B) and (C):

(B) From May 27 to May 31, the East Timorese resistance forces carried out deplorable human rights violations, including the reported killing of over two dozen persons in an apparent attempt to disrupt national elections. A resistance attack on a truck resulted in the deaths of 16 policemen and one soldier. Attacks on polling places also resulted in the deaths of two election officials.

(C) Violence on the part of either the Indonesian military or the East Timorese resistance forces is not conducive to the just and peaceful solution to the conflict in East Timor.

Change former section (B) to (D) and add the following new section (E);

(E) The Indonesian authorities and the resistance forces in East Timor must refrain from human rights violations, including attacks on civilians and non-combatants.

Insert after sense of the Congress section (b) a second sense of the Congress section to be labeled (c) to read as follows:

(c) Sense of the Congress.—It also is the sense of the Congress that the violent acts of the resistance in East Timor should be condemned, as they discredit the East Timorese cause, and could result in additional violent reprisals by the Indonesian armed forces.

Renumber current section (c), United States Military assistance and arms transfers denied. It will now be numbered (d).

Mr. BEREUTER (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. BEREUTER. Mr. Chairman, as we began to hear, we have had substantial violence which is directly attributable, in substantial part at least, to the guerrilla movement in East Timor. I will read now from a report from Human Rights Watch/Asia, dated June 4, 1997.

A series of attacks between May 27 and May 31 by resistance forces in East Timor, leading to the deaths of at least 9 civilians and more than 20 military and police, has led to widespread arrests of suspected resistance supporters throughout the territory. Human Rights Watch/Asia condemns any targeting of civilians or other noncombatants by East Timorese guerrillas as being in clear violation of international humanitarian law.

That statement on the part of Human Rights Watch lays out a variety of abuses which led to death attributed to the activities of the East Timorese guerrillas. They issued a report the following day which backed away from one of those specific reported incidents, saying, "We do not have the kind of documentation we need." But basically, their assessment stands.

From the Washington Post News Service, I read to my colleagues an account from May 31, 1997. "Separatist guerrillas bombed a police truck with grenades Saturday, killing 17 officers during one of the worst outbreaks of violence in years in the disputed Indonesian territory of East Timor. The deaths raised to 41 the number of people killed in rebel attacks in the past week in East Timor."

I would like to see some of my colleagues who are concerned about vio-

lence in East Timor stand up and bring this guerrilla violence to the attention of the House under a 1-minute statement or a Special Order. That did not happen.

Let me mention to my colleagues a few more sections of the secondary amendment that I am offering here today. The following statement is a part of the amendment in addition to the section which the Clerk read: "The Indonesian authorities and the resistance forces," and bear in mind I am talking about both there, "Indonesian authorities and resistance forces in East Timor must refrain from human rights violations, including attacks on civilians and noncombatants."

Finally, in addition to the sense of Congress elements that the gentleman from Rhode Island [Mr. KENNEDY] has added, I add this sense of the Congress section:

It is also the sense of the Congress that the violent acts of the resistance in East Timor should be condemned, as they discredit the East Timorese cause and could result in additional violent reprisals by Indonesian armed forces.

So, Mr. Chairman and my colleagues, in the amendment that I have offered, I am striking nothing that the gentleman from Rhode Island [Mr. KENNEDY] has in his amendment. I am striking not a single word of it. But I am adding, by the words of my secondary amendment, an indication that violence on the part of the Indonesian rebels in East Timor is itself a very counterproductive step and one that we should deplore. This violence is not the approach to efforts to gain additional degrees of autonomy or whatever their legitimate goals might be.

Finally, I want to say as a matter of personal privilege that, of course, while I respect the organization granting the Nobel Peace Prize, I do have to say that while I certainly have nothing but praise for what I understand to be the positions and actions of Bishop Belo, I do indeed wonder about José Ramos Horta and whether or not his efforts are totally directed toward finding, as the Kennedy amendment says, a just and peaceful solution to the conflict in East Timor. I say that in part because when he came to my office earlier this year, when I visited with him, he made false reports about the conclusions and my views after we had that meeting, which he sent to Chairman GILMAN by letter. That is not the kind of conduct that I think we would expect from a person who was the corecipient of the Nobel Peace Prize, nor do I think such a false statement by Mr. Horta serves us well or serves his cause well, either.

I understand that his intent probably is to pursue independence for East Timor. That objective is contrary to U.S. policy. It is a legitimate intent on his part, but I believe he ought to use proper means for arriving at those goals. So I hope for reasons of a balanced amendment on this matter related to Indonesia, that my colleagues will support the secondary amendment

offered by the gentleman to the amendment offered by the gentleman from Rhode Island [Mr. KENNEDY].

Mr. Chairman, I am pleased to yield to the gentleman from New York [Mr. GILMAN].

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, I want to thank the gentleman from Rhode Island [Mr. KENNEDY] for introducing this measure and the gentleman from Nebraska [Mr. BEREUTER] for his perfecting amendment. I think it is critically important that our Nation express its concern with regard to some of the problems in Indonesia.

Although Indonesia is a critically important nation in southeast Asia, the record of the Suharto government in terms of democratic freedoms, human rights, labor rights, and basic civil liberties has significant shortcomings, as defined in this amendment. I call on all parties in and outside of the government to renounce violence and embrace peace and democratic principles in resolving all of the issues of contention in that part of the world.

Regretfully, the administration has fallen woefully short in trying to influence Indonesia in the direction of democracy and human rights. Therefore, it is appropriate for the Congress to make the President accountable for the use of the taxpayers' dollars for security assistance until he can certify an amelioration in the conditions of Indonesia.

I urge my colleagues to support this sense of Congress amendment, including the perfecting amendment by the gentleman from Nebraska [Mr. BEREUTER].

Mr. KENNEDY of Rhode Island. Mr. Chairman, I move to strike the last word.

I would like to say that we accept the Bereuter amendment. We do not condone violence on any side. I would like to follow up with a few comments with respect to the points made by the gentleman from Nebraska [Mr. BEREUTER].

That is, having visited East Timor myself this last year, I had an opportunity to sit down with Nobel Peace Prize winner Bishop Belo and spoke with him for a considerable length of time and do have a sense of how these violent occurrences are precipitated. I might add that Bishop Belo himself has said to me that there is a situation where the government is hiring East Timorese to instigate and act as catalysts for violent uprisings, because what it does is give the excuse for the Indonesian military to then crack down on whomever they want to crack down on.

I just want to add that because I have spoken to our own Department of State and some of their officials there, and there is an acknowledgment that the Indonesian government is training such, I guess, double agents, although I do not think they are agents in the

cold war sense, but they are East Timorese that are on the payroll of the Indonesian Government that front for this terrorist group in East Timor and thereby justify the reprisals that the Indonesian Government then uses as an excuse to put down these uprisings in the first place. I want to point that out.

I also just want to point out that in the wake of those violent outbreaks that the gentleman from Nebraska [Mr. BEREUTER] pointed out, some of those reports are still yet to be confirmed, although I take nothing away from his effort to deplore any kind of violence.

□ 1615

I want to also add that in the aftermath of the election there were a series of roundups and manhunts by the military and widespread arrests in Dili, Baucau, Ermera and Los Palos under circumstances which torture is very likely. Of course, we have evidence of torture of those who have been detained in jails within East Timor. I can tell my colleagues that Constantio Pinto, for example, in my district in Rhode Island has given me graphic descriptions of his time in jail when he was tortured repeatedly.

We know that Indonesia is feeling discomfort because of the attention that we are bringing to these issues. It is unfortunate that it has to affect the relationship, but the best way for Indonesia to solve this problem is to clean up their human rights abuses instead of trying to get us to not recognize their human rights abuses.

Mr. BEREUTER. Mr. Chairman, will the gentleman yield?

Mr. KENNEDY of Rhode Island. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I would like to comment on two points the gentleman has raised. First, I would ask this question, it is rhetorical, but if the gentleman has a response to it I think the world would like to know it. What does the gentleman expect the Indonesian Government would do when up to 41, or perhaps more, people were killed by guerrillas when in fact some of them were poll watchers, and others were civilians. What does the gentleman think the response should legitimately be in that situation? Do they try to protect people and bring people to justice or not?

The second point I would raise about the allegations that the guerrillas may be or are totally on the payroll of the Indonesian Government, and I refer to those guerrillas that caused the deaths and the tragedy that took place there. I hope the gentleman does not believe that that is the case in all instances, if any. It certainly is not the view of our Government, our State Department, our intelligence agencies and those people that have spoken out on this issue. I just want to raise those two points if the gentleman cares to address them. I certainly do not believe that everybody, if anybody, if any, who

killed those people at the polls is on the Indonesian Government payroll.

Mr. KENNEDY of Rhode Island. Mr. Chairman, reclaiming my time, I would like to respond to the gentleman's points.

On the first one, I clearly think that justice needs to be done, but of course there is no justice in East Timor because people can be summarily arrested and tortured without legal representation. I do acknowledge that the gentleman is correct that in the event there is any violence, there should be justice. But the justice system as it currently exists is a one-sided justice system.

On the second point in terms of the payroll, I would acknowledge that I do not think in every instance that those instigating these points of violence whereby the Indonesian Government uses as a pretext to crack down on the East Timorese, that in all those instances it is those that are on their payroll, but I would point out that it is something that is acknowledged on the ground there as being a fundamental truth of the situation.

Ms. PELOSI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the Kennedy amendment and also further in support of the Bereuter amendment to the Kennedy amendment. Most certainly we should take every opportunity we can on the floor of the House to renounce violence, especially when there is collateral damage involved affecting the lives of civilians.

However, I do take issue with the characterization of what is happening in East Timor. I think our Members should understand that East Timor is a very small place and a large percentage of its population has been killed by the Indonesian Government. Some of that has happened with U.S. weapons. That is most unfortunate. That is why I support so strongly the Kennedy amendment as well as the gentleman's leadership for fighting this fight with such knowledge and such commitment.

The gentleman from Nebraska [Mr. BEREUTER] shared a story of his visit with Mr. Ramos Horta. I will convey mine. Last night in our community over 5,000 people turned out for a conference on nonviolence entitled the Power of Nonviolence. They all gave a standing ovation to Jose Ramos Horta for his appeal for nonviolence in East Timor and throughout the world.

Certainly there are those within a situation who may lose patience, and I think that is the biggest challenge to those who are involved in the non-violent crusade for change, whether it is in Tibet, and His Holiness was there last night and spoke as well, whether it is in Tibet, Indonesia, or in any other country, that while the leadership of the issue, its initiatives may be based on a commitment to nonviolence, that there are those who have lost their family members, their community people to violence in Indonesia and they may take action. We reject it, we de-

nounce it, but we do not paint every leader of the East Timor movement with the same brush.

Mr. BEREUTER. Mr. Chairman, will the gentleman yield?

Ms. PELOSI. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I thank the gentleman for yielding. I think the gentleman knows that current law forbids the kind of military sales to Indonesia that can be used in repressive measures against the civilian population. This amendment does not put that in place. That is a matter of law already.

I would say to the gentleman, I hope that she would be concerned when Mr. Horta comes into my office and after he leaves with a very clear understanding of what my point of view is, and which it happens to be the view of the official view of the U.S. Government, which I am supporting as the chairman of the Subcommittee on Asia and the Pacific, for him to go out and lie in writing about it to my chairman and mischaracterize 180 degrees is highly inappropriate. I would hope the gentleman would not condone that kind of activity and would be sympathetic as one Member of Congress to another on this matter. I would hope she agrees that Mr. Horta should not be using those tactics. It is unworthy of the Nobel Peace Prize.

Ms. PELOSI. Mr. Chairman, reclaiming my time, on the first point the gentleman brings up about what is the law regarding Indonesia, yes, sir, I am very well aware of it as ranking member of the Committee on Appropriations' Subcommittee on Foreign Operations, Export Financing and Related Programs. We spend a great deal of time, of our committee's time and indeed the floor time, on the issue of military weapons to Indonesia as well as on whether we should have expanded IMET or IMET to Indonesia. My problem with the expanded IMET to Indonesia is that it simply does not seem to be working or taken seriously by the Indonesian military. Certainly it would be appropriate, if properly employed, for us to train the Indonesian military in the importance of human rights in dealing with civilian populations. We just have not seen that happen. The case of East Timor I think is a tragedy for the world.

Around here, and the gentleman from Nebraska [Mr. BEREUTER] knows the respect, the esteem, in which I hold him, Roshomon lives, people go to meetings, they hear different things, they carry away a more optimistic or less optimistic view of a conversation. I respect the gentleman's view of that conversation as a Member of Congress on this floor. I would hope that the gentleman would give Mr. Ramos Horta the ability to respond back to the gentleman to say this is why I drew those conclusions, because I know him to be an honorable man, and I think that the Nobel committee chose well in honoring Jose Ramos Horta and Bishop Belo.

Mr. BEREUTER. Mr. Chairman, if the gentlewoman will yield further, I would say the gentlewoman has a very generous soul, which is one of the reasons I admire her greatly. Her putting the best characterization of the best construction on Mr. Horta's comments about my views are very generous on her part. In this case that generosity is mistaken. There is no doubt that he intentionally mischaracterized the position of this Member, but I thank the gentlewoman and say that her sentiments are a credit to her.

Ms. PELOSI. Mr. Chairman, I urge our colleagues to support the Kennedy amendment as amended by the gentleman from Nebraska [Mr. BEREUTER].

Mr. SMITH of New Jersey. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I urge a yes vote on the amendment that has been offered by the gentleman from Rhode Island [Mr. KENNEDY] which states in a very strong way that it is the sense of Congress that the United States should not give military assistance and arms transfers to the Government of Indonesia until that Government complies with a few basic human rights benchmarks. I would like to commend the gentleman from Nebraska [Mr. BEREUTER], the chairman of the Subcommittee on Asia and the Pacific, for his perfecting amendment to put us on record in roundly condemning all violence, no matter who commits it. Violence is not an acceptable means to any end. I want to commend my friend for offering that perfecting amendment.

Mr. Chairman, for over 20 years, international human rights advocates have been calling attention to abuses by the Indonesian Government and its occupation of East Timor. Over the years the United States has provided countless millions of dollars worth of military assistance and arms transfers to the Government of Indonesia. There have been no reliable safeguards to ensure that this assistance and these transfers did not facilitate the ongoing brutality. Indonesia's Armed Forces invaded East Timor in 1975 only weeks after East Timor had attained independence from Portugal. Since then the Indonesian Army has carried out a campaign of what amounts to ethnic cleansing against the Timorese through a program of forced migration.

Persecution has been particularly harsh against the Christian majority. More than 200,000 Timorese out of the total population of 700,000 have been killed directly or by starvation in forced migrations from their villages since the Indonesian invasion. There are recent reports of renewed campaigns of repression of Catholics in East Timor. These reports include atrocities such as the smashing of statues of the Blessed Mother. The campaign has also been directed personally against the Catholic Bishop Belo, along with the independence leader Jose Ramos Horta. Bishop Belo's phones are tapped, his fax machine is monitored,

his visitors are watched, and his freedom of movement is restricted. But Bishop Belo persists in his courageous efforts to defend justice, peace, and the preservation of the dignity of his people. Recently, he set up a church commission to monitor human rights abuses there and a radio station to disseminate information and news.

There have also been reports of renewed military activity by pro-independence guerrillas in East Timor. I want to make it absolutely clear that violence is unacceptable no matter who commits it. In this respect, again the Bereuter perfecting amendment strengthens the Kennedy amendment and makes it a resolution worthy of support by this body.

Mr. WOLF. Mr. Chairman, I move to strike the requisite number of words.

(Mr. WOLF asked and was given permission to revise and extend his remarks.)

Mr. WOLF. Mr. Chairman, I was in my office, I saw the debate that was taking place, and I wanted to make a comment in strong support of the Kennedy amendment. I had the opportunity, as the gentleman from Rhode Island [Mr. KENNEDY] did at Christmas-time, I visited East Timor in January of this year. Members ought to know Bishop Belo, who got the Nobel Peace Prize because of the nomination of the gentleman from Ohio [Mr. HALL] and others in the Congress. We visited Bishop Belo. On the Island of East Timor, there have been over 200,000 people killed in the last 20 years. If Members were to extrapolate that to the United States, I do not know what that would mean, would it mean 60 million killed or something like that? It is an unbelievable amount.

We met with Bishop Belo. We also were followed by the military and their people, but we went out in the field and talked to a number of people. We went to the Santa Cruz Cemetery, where the massacre took place. For Members who did not follow that massacre, the Indonesian army opened up fire and in cold blood killed these people at the Santa Cruz Cemetery.

We also talked to young people. First, they were afraid to speak, then we got close to them. They started to talk and told us they were afraid. The very nights we were there at 2 o'clock in the morning the Indonesian military would come into their homes and take the young people away. They would not allow them to be visited by their moms and dads.

I personally believe, and this gets a little controversial, I believe that Web Hubbell was hired by the Indonesian Government and we now later found out that Web Hubbell, after he was hired by the Indonesian Government, went to East Timor. East Timor is not the garden spot that one goes to to sit on the beaches. I believe that maybe the administration's policy changed.

The Kennedy amendment is the right thing to do. When we pass this amendment, it will send a message back to

the Indonesian Government, who we have a good relationship with and we want to continue to have a good relationship with, but that we care.

Bishop Belo will be in the United States next week. I think we should pass this amendment. I did not want the time to go by without urging strong support for the Kennedy amendment. Frankly, if it were defeated, the message that that would send to the people of East Timor, 500,000 left, 200,000 killed, military occupation, up to maybe 28,000 military people all over the island. Last, there were elections 1½ weeks ago. Up to 41 people were killed. I have been urging, as I know the gentleman from Rhode Island [Mr. KENNEDY] and others feel, that this administration should appoint a special envoy. We saw that they appointed a special envoy to Cyprus, which is very good. They should appoint a special envoy here and do something about it.

I want to commend the gentleman from Rhode Island [Mr. KENNEDY], I want to thank him for taking the time to go over there at Christmas, and I strongly support the amendment.

□ 1630

Mr. KENNEDY of Rhode Island. Mr. Chairman, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Rhode Island.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I just would like to commend the gentleman for his own visit to East Timor. There is nothing like seeing it in person, to speak to Bishop Belo in East Timor, to visit with the people as the gentleman has, that gives one the strong feelings such as the gentleman has about it.

Like the gentleman from Virginia, I have read a lot about it. But it was not until I visited and saw it myself and heard from the people dramatically about the overwhelming military presence in East Timor and the fear that everyone has going to bed at night, that they are not going to be woken up in the middle of the night, have a gun to their head and dragged out in the middle of the street, go to jail, never to be seen again.

This is the constant state of fear and terror that the people of East Timor live under, given that occupation by the Indonesian Government; and I want to salute the gentleman from Virginia [Mr. WOLF] for his strong words on this amendment.

Mr. WOLF. Mr. Chairman, I thank the gentleman from Rhode Island. We spoke to one youngster who was there who had his ear cut off, that they cut off his ear; and now we spoke to a mom, a mother, who had three children, and they were all, all, missing. One had been killed in Santa Cruz, another had been taken away, and another had been taken away several nights just before we got there.

So the Kennedy amendment is a good amendment.

Mrs. LOWEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in strong support of the Kennedy amendment to urge that military sanctions be imposed on Indonesia because of Indonesia's terrible human rights record. I certainly have no objection, and I support the amendment offered by the gentleman from Nebraska [Mr. BEREUTER] to the amendment because I think that we should be ready to condemn atrocities and brutality wherever they occur.

I have stood on this floor many times, Mr. Chairman, in recent years to criticize Indonesia because of that country's abysmal human rights record and their continued oppression of the people of East Timor. Despite the lack of improvement in Indonesia's human rights record and the opposition of myself and many of my colleagues, Indonesia continues to receive United States military assistance. According to the State Department's country report on Indonesia, quote, the government continues to commit serious human rights abuses.

The State Department report also said that in Indonesia reports of extrajudicial killings, disappearances, and torture of those in custody by security forces increased, not decreased; not stayed the same, increased. Should we really be sending Indonesia more military assistance now, when they have not addressed these critical human rights issues? I do not think so.

Indonesia's policy in East Timor is about the oppression of people who oppose Indonesia's right to torture, kill, repress the people of East Timor. It is about the 200,000 Timorese who have been slaughtered since the Indonesian occupation in 1975, 200,000 killed out of a total population of 700,000. It is about genocide.

I urge my colleagues to support this amendment and send a message to Indonesia that we will not tolerate continued human rights abuses, and I want to thank my colleague from Rhode Island, Mr. KENNEDY, for bringing these issues to our attention and speaking so eloquently on these issues. I do hope that this body will respond to the specific stories which my colleagues have shared, which my good friend, the gentleman from Virginia [Mr. WOLF], has shared. I have not been to East Timor, but I have met many times privately with people who have recounted these stories to us, and we cannot let this record stand. We must take action, and I want to just tell the gentleman, "I support you."

Mr. KENNEDY of Rhode Island. Mr. Chairman, will the gentlewoman yield?

Mrs. LOWEY. I yield to the gentleman from Rhode Island.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I would just like to say there are countless stories. Unfortunately the ICRC cannot tell them to us because it would abrogate their mandate to be an impartial, as my colleagues know, observer and support to human rights in the countries that they are situated in. But they are only

situated in those countries with gross human rights abuses, and they do not want to jeopardize that mission. But they did tell me that they are exceeding their ability to keep on top of all the cases that they have to stay on top of, and what that says to me is volumes about the current situation there.

Mr. Chairman, I would like to thank the gentlewoman from New York for her support.

Mrs. LOWEY. Mr. Chairman, I thank the gentleman from Rhode Island again for his leadership.

Mr. DAVIS of Florida. Mr. Chairman, I move to strike the requisite number of words.

I rise in support of the Bereuter amendment. This perfecting amendment seeks to add a level of balance and accuracy to the Kennedy amendment which will improve upon its content. It places the House of Representatives on record of being against violence and abusive human rights by all parties to the conflict in East Timor, and for that reason I urge adoption of the amendment to the amendment.

Mr. KIM. Mr. Chairman, I rise in strong opposition to the Kennedy amendment which expresses the sense of Congress that the United States should stop military assistance and education to Indonesia. It appears to me that this amendment will only have a negative effect on United States-Indonesian relations. I believe that this amendment would actually hinder the kind of changes and increased respect for human rights that its proponents claim to seek.

An insult such as this will have a direct and negative impact on all facets of the United States-Indonesian relationship, including economic ties. In 1995 alone, the United States exported \$3.3 billion in goods and services to Indonesia. Indonesia is also the host to over \$6 billion in United States investment. The only people cheering for the misguided symbolism of this amendment are our foreign competitors who look to take advantage of a souring in United States-Indonesian relations.

The action that this amendment advocates—including cutting off expanded international military education training [E-IMET]—will do nothing to improve human rights in Indonesia and East Timor. What better way to improve human rights in Indonesia than to properly train the military. That is what E-IMET does; it provides educational courses to teach respect for civil authority, human rights, and the rule of law.

While I recognize that improvement is needed in Indonesia, this amendment will have no positive impact on East Timor. The Kennedy amendment is simply pandering to special interests in East Timor at the expense of overall United States interests in the region.

Therefore, I urge my colleagues to oppose the Kennedy amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Nebraska [Mr. BEREUTER] to the amendment offered by the gentleman from Rhode Island [Mr. KENNEDY].

The amendment to the amendment was agreed to.

The CHAIRMAN pro tempore. The question is on the amendment offered

by the gentleman from Rhode Island [Mr. KENNEDY], as amended.

The amendment, as amended, was agreed to.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to House Resolution 159, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: The amendment offered by the gentleman from Ohio [Mr. NEY]; the amendment, as amended, offered by the gentleman from California [Mr. MILLER].

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. NEY

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio [Mr. NEY] on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 426, noes 0, not voting 8, as follows:

[Roll No. 174]

AYES—426

Abercrombie	Bunning	Delahunt
Ackerman	Burr	DeLauro
Aderholt	Burton	DeLay
Allen	Buyer	Dellums
Andrews	Callahan	Deutsch
Archer	Calvert	Diaz-Balart
Armey	Camp	Dickey
Bachus	Campbell	Dicks
Baesler	Canady	Dingell
Baker	Cannon	Dixon
Baldacci	Capps	Doggett
Ballenger	Cardin	Dooley
Barcia	Carson	Doolittle
Barr	Castle	Doyle
Barrett (NE)	Chabot	Dreier
Barrett (WI)	Chambliss	Duncan
Bartlett	Chenoweth	Dunn
Barton	Christensen	Edwards
Bass	Clay	Ehlers
Bateman	Clayton	Ehrlich
Becerra	Clement	Emerson
Bentsen	Clyburn	Engel
Bereuter	Coble	English
Berman	Coburn	Ensign
Berry	Collins	Eshoo
Bilbray	Combest	Etheridge
Bilirakis	Condit	Evans
Bishop	Conyers	Everett
Blagojevich	Cook	Ewing
Bliley	Cooksey	Fattah
Blumenauer	Costello	Fawell
Blunt	Cox	Fazio
Boehlert	Coyne	Filner
Boehner	Cramer	Foglietta
Bonilla	Crane	Foley
Bonior	Crapo	Forbes
Bono	Cubin	Ford
Borski	Cummings	Fowler
Boswell	Cunningham	Fox
Boucher	Danner	Frank (MA)
Boyd	Davis (FL)	Franks (NJ)
Brady	Davis (IL)	Frelinghuysen
Brown (CA)	Davis (VA)	Frost
Brown (FL)	Deal	Furse
Brown (OH)	DeFazio	Gallegly
Bryant	DeGette	Ganske

Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gillman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hutchinson
Hyde
Inglis
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (WI)
Johnson, E. B.
Johnson, Sam
Jones
Kanjorski
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Klecza
Klink
Klug
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren

Lowey
Lucas
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Markey
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McDermott
McGovern
McHale
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-
McDonald
Miller (CA)
Miller (FL)
Minge
Mink
Moakley
Mollohan
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Neal
Nethercutt
Neumann
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Oliver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pomeroy
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Rush
Ryun
Sabo
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan
Schaffer, Bob
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skaggs
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Snyder
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Tierney
Torres
Towns
Traficant
Turner
Upton
Velazquez
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Watts (OK)
Waxman
Weldon (FL)
Weldon (PA)
Weller
Wexler
Weygand
White
Whitfield
Wicker
Wise
Woolsey
Wynn
Yates
Young (AK)
Young (FL)

NOT VOTING—8

Farr
Flake
Hall (OH)

Molinari
Rothman
Schiff

Schumer
Wolf

□ 1656

So the amendment was agreed to.
The result of the vote was announced
as above recorded

AMENDMENT OFFERED BY MR. MILLER OF
CALIFORNIA, AS AMENDED

The CHAIRMAN pro tempore [Mr.
EWING]. The pending business is the de-
mand for a recorded vote on the
amendment offered by the gentleman
from California [Mr. MILLER], as
amended, on which further proceedings
were postponed and on which the noes
prevailed by voice vote.

The Clerk will designate the amend-
ment, as amended.

The Clerk designated the amend-
ment, as amended.

RECORDED VOTE

The CHAIRMAN pro tempore. A re-
corded vote has been demanded.
A recorded vote was ordered.

The vote was taken by electronic de-
vice, and there were—ayes 375, noes 49,
not voting 10, as follows:

[Roll No. 175]
AYES—375

Ackerman
Aderholt
Allen
Andrews
Archer
Armey
Bachus
Baesler
Baker
Baldacci
Ballenger
Barcia
Barr
Barrett (NE)
Barrett (WI)
Bartlett
Barton
Bass
Bateman
Bentsen
Bereuter
Berman
Berry
Bilbray
Billirakis
Bishop
Blagojevich
Bliley
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonior
Bono
Borski
Boswell
Boucher
Boyd
Brady
Brown (CA)
Brown (FL)
Brown (OH)
Bryant
Bunning
Burr
Burton
Buyer
Callahan
Calvert
Camp
Campbell
Canady
Cannon
Capps
Cardin
Carson
Chabot

Chambliss
Chenoweth
Christensen
Clayton
Clement
Clyburn
Coble
Coburn
Collins
Combest
Condit
Cook
Cooksey
Costello
Cox
Cramer
Crane
Crapo
Cubin
Cummings
Cunningham
Danner
Davis (FL)
Davis (IL)
Davis (VA)
Deal
DeLauro
DeLay
Deutsch
Diaz-Balart
Dickey
Dicks
Dingell
Dixon
Doggett
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehrlich
Emerson
Engel
English
Ensign
Eshoo
Etheridge
Evans
Everett
Ewing
Fattah
Fawell
Fazio
Filner
Foley
Forbes

Ford
Fowler
Fox
Franks (NJ)
Frelinghuysen
Frost
Gallegly
Ganske
Gejdenson
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Goodling
Gordon
Goss
Graham
Granger
Green
Greenwood
Gutierrez
Gutknecht
Hall (TX)
Hamilton
Hansen
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayworth
Hefley
Hefner
Herger
Hill
Hilleary
Hilliard
Hulshof
Hunter
Hyde
Inglis
Istook
Jackson-Lee
(TX)
Jefferson
Jenkins

John
Johnson (CT)
Johnson (WI)
Johnson, Sam
Jones
Kaptur
Kasich
Kelly
Kennedy (MA)
Kennedy (RI)
Kennelly
Kildee
Kilpatrick
Kim
Kind (WI)
King (NY)
Kingston
Klink
Klug
Knollenberg
Kolbe
LaFalce
LaHood
Lampson
Lantos
Largent
Latham
LaTourette
Lazio
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Livingston
LoBiondo
Lofgren
Lowey
Luther
Maloney (CT)
Maloney (NY)
Manton
Manzullo
Martinez
Mascara
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDade
McHugh
McInnis
McIntosh
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek
Menendez
Metcalf
Mica
Millender-
McDonald
Miller (CA)
Miller (FL)

Mollohan
Moran (KS)
Moran (VA)
Morella
Myrick
Neumann
Ney
Northup
Norwood
Nussle
Obey
Oliver
Ortiz
Owens
Oxley
Packard
Pallone
Pappas
Parker
Pascrell
Pastor
Paul
Paxon
Payne
Pease
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pickett
Pitts
Pombo
Pomeroy
Porter
Portman
Poshard
Price (NC)
Pryce (OH)
Quinn
Rahall
Ramstad
Redmond
Regula
Reyes
Riggs
Riley
Rivers
Rodriguez
Roemer
Rogan
Rohrabacher
Ros-Lehtinen
Roukema
Roybal-Allard
Royce
Rush
Ryun
Salmon
Sanchez
Sanders
Sandlin
Sanford
Sawyer
Saxton
Scarborough
Schaefer, Dan

Abercrombie
Becerra
Castle
Clay
Conyers
Coyne
DeFazio
DeGette
Dellums
Dooley
Ehlers
Foglietta
Frank (MA)
Furse
Hinchey
Hinojosa
Holden

Jackson (IL)
Johnson, E. B.
Kanjorski
Klecza
Kucinich
Lewis (GA)
Lucas
Markey
McDermott
McGovern
McHale
Minge
Mink
Moakley
Murtha
Nadler
Nethercutt

Oberstar
Rangel
Sabo
Serrano
Skaggs
Smith (MI)
Snyder
Tierney
Torres
Towns
Velazquez
Waters
Watkins
Watt (NC)
Waxman

Schaffer, Bob
Scott
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Sisisky
Skeen
Skelton
Slaughter
Smith (NJ)
Smith (OR)
Smith (TX)
Smith, Adam
Smith, Linda
Snowbarger
Solomon
Souder
Spence
Spratt
Stabenow
Stark
Stearns
Stenholm
Stokes
Strickland
Stump
Stupak
Sununu
Talent
Tanner
Tauscher
Tauf
Tauscher
Taubin
Taylor (MS)
Taylor (NC)
Thomas
Thompson
Thornberry
Thune
Thurman
Tiahrt
Traficant
Turner
Upton
Vento
Visclosky
Walsh
Wamp
Waters
Watkins
Watt (NC)
Waxman

NOT VOTING—10

Neal
Radanovich
Rothman
Schiff

Schumer
Wolf

□ 1706

Mr. WAXMAN, Ms. DeGETTE, and
Mr. SMITH of Michigan changed their
vote from “aye” to “no.”

So the amendment, as amended, was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. ENGEL

Mr. ENGEL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ENGEL:

At the end of the bill add the following (and conform the table of contents accordingly):

SEC. 1818. INTERNATIONAL FUND FOR IRELAND.

(a) **SHORT TITLE.**—This section may be cited as the "MacBride Principles of Economic Justice Act of 1997".

(b) **ADDITIONAL REQUIREMENTS.**—

(1) **PURPOSES.**—Section 2(b) of the Anglo-Irish Agreement Support Act of 1986 (Public Law 99-415; 100 Stat. 947) is amended by adding at the end the following new sentence: "United States contributions shall be used in a manner that effectively increases employment opportunities in communities with rates of unemployment significantly higher than the local or urban average of unemployment in Northern Ireland. In addition, such contributions shall be used to benefit individuals residing in such communities.".

(2) **CONDITIONS AND UNDERSTANDINGS.**—Section 5(a) of such Act is amended—

(A) in the first sentence—

(i) by striking "The United States" and inserting the following:

"(I) IN GENERAL.—The United States";

(ii) by striking "in this Act may be used" and inserting the following: "in this Act—
"(A) may be used";

(iii) by striking the period and inserting "; and"; and

(iv) by adding at the end the following:

"(B) may be provided to an individual or entity in Northern Ireland only if such individual or entity is in compliance with the principles of economic justice."; and

(B) in the second sentence, by striking "The restrictions" and inserting the following:

"(2) **ADDITIONAL REQUIREMENTS.**—The restrictions".

(3) **PRIOR CERTIFICATIONS.**—Section 5(c)(2) of such Act is amended—

(A) in subparagraph (A), by striking "principle of equality" and all that follows and inserting "principles of economic justice; and"; and

(B) in subparagraph (B), by inserting before the period at the end the following: "and will create employment opportunities in regions and communities of Northern Ireland suffering the highest rates of unemployment".

(4) **ANNUAL REPORTS.**—Section 6 of such Act is amended—

(A) in paragraph (2), by striking "and" at the end;

(B) in paragraph (3), by striking the period and inserting "; and"; and

(C) by adding at the end the following new paragraph:

"(4) each individual or entity receiving assistance from United States contributions to the International Fund as agreed in writing to comply with the principles of economic justice.".

(5) **REQUIREMENTS RELATING TO FUNDS.**—Section 7 of such Act is amended by adding at the end the following:

"(c) **PROHIBITION.**—Nothing herein shall require quotas or reverse discrimination or mandate their use.".

(6) **DEFINITIONS.**—Section 8 of such Act is amended—

(A) in paragraph (1), by striking "and" at the end;

(B) in paragraph (2), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new paragraphs:

"(3) the term 'Northern Ireland' includes the counties of Antrim, Armagh, Derry, Down, Tyrone, and Fermanagh; and

"(4) the term 'principles of economic justice' means the following principles:

"(A) Increasing the representation of individuals from underrepresented religious groups in the workforce, including managerial, supervisory, administrative, clerical, and technical jobs.

"(B) Providing adequate security for the protection of minority employees at the workplace

"(C) Banning provocative sectarian or political emblems from the workplace.

"(D) Providing that all job openings be advertised publicly and providing that special recruitment efforts be made to attract applicants from underrepresented religious groups.

"(E) Providing that layoff, recall, and termination procedures do not favor a particular religious group.

"(F) Abolishing job reservations, apprenticeship restrictions, and differential employment criteria which discriminate on the basis of religion.

"(G) Providing for the development of training programs that will prepare substantial numbers of minority employees for skilled jobs, including the expansion of existing programs and the creation of new programs to train, upgrade, and improve the skills of minority employees.

"(H) Establishing procedures to assess, identify, and actively recruit minority employees with the potential for further advancement.

"(I) Providing for the appointment of a senior management staff member to be responsible for the employment efforts of the entity and, within a reasonable period of time, the implementation of the principles described in subparagraphs (A) through (H).".

(7) **EFFECTIVE DATE.**—The amendments made by this subsection shall take effect 180 days after the date of the enactment of this Act.

Mr. ENGEL (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN pro tempore. Pursuant to the order of the House of June 5, 1997, the gentleman from New York [Mr. ENGEL] and a Member opposed each will control 5 minutes.

Is there a Member seeking recognition in opposition?

Mr. HAMILTON. Yes, Mr. Chairman, I do.

The CHAIRMAN pro tempore. The gentleman from Indiana [Mr. HAMILTON] will be recognized for 5 minutes in opposition to the amendment.

The Chair recognizes the gentleman from New York [Mr. ENGEL].

Mr. ENGEL. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is the Engel-Gilman amendment on the International Fund for Ireland principles. I want to at the outset thank the gentleman from New York [Mr. GILMAN] from the Committee on International Relations for all his help and hard work on this amendment.

This amendment is very simple. It simply says that the International Fund for Ireland, to which the United States contributes \$20 million per year, that funding for the International Fund for Ireland should not go to any entity in the north of Ireland that discriminates.

We want to ensure that any entity which receives money from the International Fund for Ireland is committed to the principles of nondiscrimination. This is very similar to what was done in South Africa with the Sullivan principles, and this essentially embraces what is called the MacBride principles of nondiscrimination.

This is identical to a bill that I have carried for the past 8 years and under the current Congress, H.R. 150, which sets up nine guidelines to eliminate religious-based discrimination in employment and job training processes in the north of Ireland, while banning provocative sectarian and political emblems from the workplace. Again, we want to ensure that U.S. money is given to entities which promote equal opportunity employment for both Protestants and Catholics and to regions where targeted investment is needed.

Mr. Chairman, these are critical times for the peace process in Ireland. I commend the fact that right now the parties seem to be lined up in terms of really making progress for equality in the peace process. It is very, very important, I believe, that at this point Congress go on record as saying that moneys for the International Fund for Ireland cannot go to entities which discriminate against anybody, be they Catholic or Protestant. That is simply what this says.

Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York [Mr. GILMAN], chairman of the committee.

(Mr. Gilman asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, I thank the gentleman for yielding time to me.

Mr. Chairman, today I rise to offer, along with the gentleman from New York [Mr. ENGEL], the Federal MacBride principles. This important bipartisan antidiscrimination measure dealing with employment practices in Northern Ireland is included in our amendment as a condition for receipt of any of the U.S. taxpayer contributions to the International Fund for Ireland.

This amendment, which we introduced today, incorporates all of the changes we have made in the MacBride principles; in other words, the principles of economic justice as defined and passed by the last Congress is part of the U.S. contribution to the IFI in the foreign aid bill.

We must treat equally those who would receive any United States foreign assistance the very same as we do for many United States employers doing business in Northern Ireland,

where today many of these firms voluntarily comply with the MacBride fair employment principles.

Much more still needs to be done to address the serious continuing problem of discrimination in Northern Ireland, where Catholics are still twice as likely to be unemployed as their Protestant counterparts. This is unfair. It must change if lasting peace and justice are ever to take hold in Northern Ireland.

As a candidate, Mr. Clinton pledged during the 1992 campaign that he would support the MacBride principles. They have been passed into law in all 16 States, including our own State of New York, and American cities and towns have also passed similar resolutions. We must do more to codify these principles in the law this year.

Accordingly, Mr. Chairman, I urge all of our colleagues concerned about lasting peace and justice in Northern Ireland to support the amendment we are introducing today.

Mr. Chairman, I include for the RECORD a letter from the Irish National Caucus in support of this initiative.

The letter referred to is as follows:

IRISH NATIONAL CAUCUS, INC.,
Washington, DC, May 12, 1997.

Hon. BEN GILMAN,
Chairman, House International Relations Committee,
U.S. House of Representatives,
Washington, DC.

DEAR CHAIRMAN GILMAN: We, the undersigned leaders of Irish-American organizations, support the linking of the MacBride Principles of economic justice to the International Fund for Ireland as contained in HR 1486.

Attaching the MacBride Principles to foreign aid to Northern Ireland will help to guarantee that hard earned taxpayer's money will not be used to subsidize sectarian discrimination in Northern Ireland.

The MacBride Principles have proven to be the most effective response to anti-Catholic discrimination in Northern Ireland, and the Principles enjoy massive support in the Irish-American community.

Proof that the MacBride Principles are still needed was provided by the recent example of anti-Catholic discrimination in the office of Baroness Denton, the British Minister formerly responsible for fair employment laws in Northern Ireland.

We thank you, Chairman Gilman, for your long and consistent leadership for justice and peace in Ireland.

Sincerely,

Edward J. Wallace, National President, AOH; Francis Hoare, Chairman, Brehon Law Society; Jean Forest, U.S. Voice for Human Rights in Northern Ireland; Edmund Lynch, Chairman, Lawyers National Alliance for Justice in Ireland; Andrew Somers, President, Irish-American Unity Conference; Kathleen Holmes, Chairwoman, American Irish Congress; James V. Mullin, Irish Family Curriculum Committee; John McPhillips, President, Clan Na Gael; Paul Doris, Chairman, Irish Northern Aid Committee; Fr. Sean McManus, President, Irish National Caucus; Dennis E.A. Lynch, General Counsel, Hibernian Civil Rights Coalition; Frank Durkan, Americans for a new Irish Agenda.

□ 1715

Mr. HAMILTON. Mr. Chairman, I yield myself such time as I may consume.

I rise in opposition to this amendment. I, of course, realize the popularity of the amendment but I do think it is important to state the other view. I am not exactly alone in my opposition to this amendment.

The Irish Government has opposed this amendment. They have a new government today, of course, and they have not yet spoken so far as I know. The British Government has opposed this amendment. They, too, have a new government. I am not sure exactly how they feel about MacBride principles, but the British Government has opposed it in the past. And the U.S. Government opposes this amendment.

All of us in this Chamber support fair employment and nondiscrimination in the workplace in Northern Ireland and elsewhere, but I think we have to be very careful about putting layers of red tape into an assistance program. We need to be very careful about imposing conditions that will work at cross-purposes with our shared goals. The investment experts have said to us that mandating conditionality on U.S. assistance to the IFI will have the effect of hindering international investment in the region.

Listen to the words of John Hume; there is not anybody more respected in this Chamber on the Irish question than John Hume. What does he say? I quote him: "If you really want to help us, then encourage investment in areas of high unemployment in Northern Ireland. That is a positive thing to do. The effect of the MacBride principles campaign, whether people like to admit it or not, is to stop investment coming in and that is bad for us."

Now, I suspect most Members in this body do not support affirmative action programs in the United States with all kinds of mandatory requirements. I do not know why they would want to try to legislate affirmative action in another country, but that is precisely what this amendment tries to do. Moreover, I think the amendment is not needed. All enterprises in Northern Ireland must already conform to the United Kingdom Fair Employment Act of 1989, which imposes one of the strongest and most comprehensive antidiscriminatory sets of regulations in Europe. Likewise, they must comply with the very elaborate regulations of the European Union.

The IFI board oversees the allocation of all IFI funds. They already rigorously promote fair employment practices and economic development in disadvantaged communities in Northern Ireland. They evaluate each project to ensure that it does not discriminate and funding is specifically targeted to minority and disadvantaged areas.

I believe a better way to proceed here is to preserve support for the IFI, to have confidence in them, to have confidence in the governments that are in-

cluded, including our own, and their goals of promoting fair employment practices in Northern Ireland.

We should not be legislating intrusive conditions which are opposed even by these governments and which others could criticize as going beyond U.S. law with respect to affirmative action.

I urge a vote against this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. ENGEL. Mr. Chairman, may I ask how much time remains?

The CHAIRMAN pro tempore (Mr. EWING). The gentleman from New York [Mr. ENGEL] has 1½ minutes remaining.

Mr. ENGEL. Mr. Chairman, I yield 1 minute and 10 seconds to the gentleman from New York [Mr. MANTON].

(Mr. MANTON asked and was given permission to revise and extend his remarks.)

Mr. MANTON. Mr. Chairman, I rise today to support the amendment offered by my good friend and colleague, the gentleman from New York [Mr. GILMAN], chairman of the Committee on International Relations. The chairman's commitment to the peace process in the north of Ireland has made him an integral part of the Congressional Ad Hoc Committee for Irish Affairs.

At the same time I also want to acknowledge the deep commitment to fair employment legislation and to the peaceful resolution of the conflict in the north of Ireland by another friend and colleague, the gentleman from New York [Mr. ENGEL].

Mr. Chairman, with the election of the new government in Ireland and the United Kingdom and the continued leadership of Senator Mitchell and the Clinton administration, the possibility for a genuine peace process is finally becoming a reality.

The International Fund for Ireland is designed to stimulate job creation and is an integral facet of the peace process. The support of the United States has a tangible effect of contributing to the search for lasting peace by giving the chronic unemployed, the underemployed, a stake in society, thereby drying up the pond that extremism can swim in.

Mr. Chairman, Catholic males are 2½ times more likely to be unemployed than their counterparts from the other tradition. My support of this amendment is driven by a desire to raise the standard of living of those who have experienced chronic generational unemployment from both communities. I urge the passage of this bill, which is akin to the Sullivan principles that took the moral high ground in South Africa.

Mr. ENGEL. Mr. Chairman, I yield the balance of my time to the gentleman from Massachusetts [Mr. KENNEDY].

Mr. WEXLER. Mr. Chairman, I yield 1 minute to the gentleman from Massachusetts [Mr. KENNEDY].

The CHAIRMAN pro tempore. The gentleman from Massachusetts [Mr.

KENNEDY] is recognized for 1 minute and 20 seconds.

(Mr. KENNEDY of Massachusetts asked and was given permission to revise and extend his remarks.)

Mr. KENNEDY of Massachusetts. Mr. Chairman, I rise in strong support of the amendment by the gentleman from New York [Mr. GILMAN] to this legislation. I think that the gentlemen from New York, [Mr. GILMAN], [Mr. MANTON], and [Mr. ENGEL], and others ought to be congratulated for the leadership that others like the gentleman from New York, [Mr. KING] and the like have shown in trying to make certain that we eliminate the kind of terrible discrimination against Catholics that has existed in the north of Ireland.

I was interested to hear the ranking member describe the fact that there are provisions under the existing laws in Great Britain to protect against employment discrimination. Those protections are simply a sham. The truth of the matter is, all they do is allow people to understand that there is a job available. They do nothing about guaranteeing the fact that Catholics can get those jobs.

There has been traditionally a terrible unemployment rate, in some communities as high as 90 percent for generation after generation because of employment discrimination that has existed. All this legislation would call for is that when funds are available from this country to Northern Ireland and to the border communities, that they in fact cannot discriminate against the Catholic minority in the north of Ireland. It is sound legislation, it is the right legislation, and it is the moral and correct thing to do. I congratulate the gentleman from New York [Mr. GILMAN], for his foresight in pursuing this legislation.

Mr. WEXLER. Mr. Chairman, I yield the balance of my time to the gentleman from New York [Mr. ENGEL].

The CHAIRMAN pro tempore. The gentleman from New York [Mr. ENGEL] is recognized for 30 seconds.

Mr. ENGEL. Mr. Chairman, I yield to the gentleman from New York [Mr. KING].

Mr. KING. Mr. Chairman, I rise in support of the Engel-Gilman amendment. I commend them for their efforts.

Mr. Chairman, the Irish peace process is right now at a very defining moment. One of the main causes of violence over the years has been the systematic discrimination against the nationalist community. If American money is going to the north of Ireland for the Fund for Ireland, it is essential that discrimination not be allowed, that systematic discrimination be rooted out and uprooted. It is only then that we can have real peace in Ireland. It is essential that the United States stand by the absolute commitment to peace and justice, and also to ensure that no systematic state-sponsored discrimination be allowed in the north of Ireland.

Mr. SMITH of New Jersey. Mr. Chairman, I ask unanimous consent to proceed for an additional 30 seconds.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN pro tempore. The gentleman from New Jersey [Mr. SMITH] is recognized for 30 seconds.

(Mr. SMITH of New Jersey asked and was given permission to revise and extend his remarks.)

Mr. SMITH of New Jersey. Mr. Chairman, I rise in very strong support of the Engel-Gilman amendment to link United States contributions to the international fund for Ireland to these very important MacBride principles, principles we passed as part of H.R. 1561 last year.

I want to remind Members that when the President vetoed H.R. 1651 last year he went out of his way in a letter to Brian Atwood, the administrator of AID, to say that he is committed to fair employment principles for Catholics in the north of Ireland. The President went on to say that he vetoed that bill for reasons unrelated to the section dealing with the MacBride principles. So while today, the administration may put out language suggesting they are against this provision, in his August 1996 letter to Brian Atwood, the President himself said he was for the MacBride principles.

This is a very important fair employment piece of legislation.

Astonishingly, job discrimination against Catholics in the north of Ireland is the status quo. Consider these facts. Out of the 87,000 children below the poverty line, 58,000, or 66 percent, are Catholic. In Northern Ireland, over 42 percent of Catholic men are unemployed compared to 25 percent of their Protestant colleagues. According to the most recent Labor Force Survey, 55 percent of the unemployed are Catholics, even though they comprise 38 percent of the population over the age of 16.

United States support to the IFI is intended to help mitigate the social and economic problems that contribute to the civil unrest in Northern Ireland. People cannot come to a lasting peace agreement if they are the subject of ongoing, systematic, disparaging discrimination. The MacBride principles, which would eliminate religious-based discrimination in employment and job training, are modest and will go a long way to foster peace and justice in Northern Ireland. At least 16 States—including my home State of New Jersey—and more than 30 U.S. cities have adopted the MacBride principles. Similarly, the Federal Government should adopt this code and ensure that U.S. taxpayer funds do not go to subsidize discrimination in the work force.

Human rights abuses are far-reaching in the north of Ireland. Juryless Diplock courts, ill-treatment of individuals in detention, lack of access to attorneys, search and seizure abuses, sectarian use of plastic bullets, and religious discrimination are common human rights abuses in Northern Ireland. Linking our financial contributions to the IFI to the MacBride principles is a small step in addressing just one of the many human rights abuses that need to be eliminated in order for a last-

ing and just peace to be achieved in that region.

I wholeheartedly support the amendment and urge its adoption.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from New York [Mr. ENGEL].

The amendment was agreed to.

The CHAIRMAN pro tempore. Are there further amendments?

AMENDMENT OFFERED BY MS. SLAUGHTER

Ms. SLAUGHTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Ms. SLAUGHTER:

At the end of title XVIII insert the following new section:

SEC. 1712. SENSE OF CONGRESS REGARDING ASSISTANCE TO LITHUANIA AND LATVIA.

It is the sense of the United States House of Representatives that—

(1) adequate assistance should be provided to Lithuania and Latvia in fiscal year 1998;

(2) assistance to Lithuania should be continued beyond fiscal year 1998 as it continues to build democratic and free market institutions; and

(3) the President should consider continuing assistance to Latvia beyond fiscal year 1998, as appropriate, to build democratic and free market institutions.

The CHAIRMAN pro tempore. Pursuant to the order of the House of June 5, 1997, the gentleman from New York [Ms. SLAUGHTER] and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York [Ms. SLAUGHTER].

Ms. SLAUGHTER. Mr. Chairman, I yield myself such time as I may consume.

My amendment is very straightforward. It just expresses the sense of Congress that foreign aid to the Baltic states of Latvia and Lithuania should be provided in the fiscal year 1998 and beyond from Lithuania. It also states that Latvia should continue to receive aid as the President determines it necessary. This amendment supports these nations as they continue to evolve toward a free market economy and develop democratic institutions.

On behalf of all the Latvian and Lithuanian Americans who have made this country their home, I am pleased to offer this amendment. Since gaining their independence from the former Soviet Union earlier this decade, Latvia and Lithuania have both made important strides towards democracy and the removal of the shackles of oppressive communism. Lithuania and Latvia have a long, proud history and have struggled valiantly against forces on all sides of their borders, forces that would suppress their freedom in demanding the Soviet troops be removed from their soil and that the Baltic states be granted independence.

In 1990, pro-independence forces were able to win a majority in parliamentary elections in Lithuania. Despite an attempted coup by Soviet soldiers, Lithuania and the other Baltic states were able to gain their independence.

Last fall, Mr. Chairman, national elections brought reform forces back into the Parliament following a collapse of the private banking sector and the ensuing Government crisis.

Despite this renewed democratic reform, the State Department made a curious decision to end the aid program to the Lithuania through the Support for the Eastern European Democracies or the SEED Program as reflected in the President's budget request, this in spite of the fact that USAID's in-country mission, the U.S. Embassy and non-government at organizations such as the Lithuanian-American community all support continued aid to Lithuania at this time.

The reasons for aid are clear. Continued threats to safety and stability by organized crime in Lithuania are a serious concern. The previous government failed to place walls between the Government and private interests, resulting in corruption and one of the reasons for its fall from power.

The people of Lithuania responded democratically to these problems by voting in a new reform Government. The new reform Government is trying to adopt anticorruption legislation and is in critical need of technical experts to assist them. Without our aid, this will not be possible. In addition, there is a continued need for technical experts to assist with the reorganization and privatization of the energy sector. Again, our aid is critical.

Mr. Chairman, Lithuania and Latvia have proven to be our allies and our friends. They have requested an invitation to join NATO at the earliest possible date, a request which Congress may soon grant them.

□ 1730

Should we not continue assisting Lithuania and Latvia at this important moment in their history?

Mr. Chairman, I urge the House to support this amendment of continued support to Lithuania and Latvia in fiscal year 1998, and Lithuania beyond, as they continue to build democratic free market institutions.

Mr. GILMAN. Mr. Chairman, will the gentlewoman yield?

Ms. SLAUGHTER. I yield to the gentleman from New York.

Mr. GILMAN. Mr. Chairman, I thank the gentlewoman for yielding, and I rise in support of the amendment offered by our good colleague from New York.

The amendment is not an earmark, it is simply an encouragement to the President to make certain that our aid to Lithuania and Latvia is going to be adequate enough to support necessary political and economic reforms in those two Baltic States. Accordingly, Mr. Chairman, I urge the adoption of the amendment.

Ms. SLAUGHTER. Mr. Chairman, reclaiming my time, I thank the gentleman very much.

Mr. WEXLER. Mr. Chairman, will the gentlewoman yield?

Ms. SLAUGHTER. I yield to the gentleman from Florida.

Mr. WEXLER. Mr. Chairman, I rise in support of the amendment. It is an appropriate expression of congressional support for United States assistance programs in support of democratic and free market reform in Latvia and Lithuania. I simply just urge very strong support for the Slaughter amendment.

The CHAIRMAN pro tempore (Mr. EWING). The question is on the amendment offered by the gentlewoman from New York [Ms. SLAUGHTER].

The amendment was agreed to.

AMENDMENT OFFERED BY MS. MCKINNEY

Ms. MCKINNEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. Is the amendment one of those specifically listed in the order of the House of June 5, 1997?

Ms. MCKINNEY. Yes, Mr. Chairman, it is.

The CHAIRMAN pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Ms. MCKINNEY:

At the end of the bill add the following (and conform the table of contents accordingly):

DIVISION C—ARMS TRANSFERS CODE OF CONDUCT

TITLE XX—ARMS TRANSFERS CODE OF CONDUCT

SEC. 2001. SHORT TITLE.

This title may be cited as the "Code of Conduct on Arms Transfers Act of 1997".

SEC. 2002. FINDINGS.

The Congress finds the following:

(1) Approximately 40,000,000 people, over 75 percent civilians, died as a result of civil and international wars fought with conventional weapons during the 45 years of the cold war, demonstrating that conventional weapons can in fact be weapons of mass destruction.

(2) Conflict has actually increased in the post cold war era, with 30 major armed conflicts in progress during 1995.

(3) War is both a human tragedy and an ongoing economic disaster affecting the entire world, including the United States and its economy, because it decimates both local investment and potential export markets.

(4) International trade in conventional weapons increases the risk and impact of war in an already over-militarized world, creating far more costs than benefits for the United States economy through increased United States defense and foreign assistance spending and reduced demand for United States civilian exports.

(5) The United Nations Register of Conventional Arms can be an effective first step in support of limitations on the supply of conventional weapons to developing countries and compliance with its reporting requirements by a foreign government can be an integral tool in determining the worthiness of such government for the receipt of United States military assistance and arms transfers.

(6) It is in the national security and economic interests of the United States to reduce dramatically the \$840,000,000 that all countries spend on armed forces every year, \$191,000,000 of which is spent by developing countries, an amount equivalent to 4 times the total bilateral and multilateral foreign assistance such countries receive every year.

(7) According to the Congressional Research Service, the United States supplies

more conventional weapons to developing countries than all other countries combined, averaging \$11,889,000,000 a year in agreements to supply such weapons to developing countries for the six years since the end of the cold war, 58 percent higher than the \$7,515,000,000 a year in such agreements for the six years prior to the dissolution of the Soviet Union.

(8) Since the end of the cold war, 84 percent of United States arms transfers have been to developing countries are to countries with an undemocratic form of government whose citizens, according to the Department of State Country Reports on Human Rights Practices do not have the ability to peacefully change their form of government.

(9) Although a goal of United States foreign policy should be to work with foreign governments and international organizations to reduce militarization and dictatorship and therefore prevent conflicts before they arise, during 4 recent deployments of United States Armed Forces—to the Republic of Panama, the Persian Gulf, Somalia, and Haiti—such Armed Forces faced conventional weapons that had been provided or financed by the United States to undemocratic governments.

(10) The proliferation of conventional arms and conflicts around the globe are multilateral problems, and the fact that the United States has emerged as the world's primary seller of conventional weapons, combined with the world leadership role of the United States, signifies that the United States is in a position to seek multilateral restraints on the competition for and transfers of conventional weapons.

(11) The Congress has the constitutional responsibility to participate with the executive branch in decisions to provide military assistance and arms transfers to a foreign government, and in the formulation of a policy designed to reduce dramatically the level of international militarization.

(12) A decision to provide military assistance and arms transfers to a government that is undemocratic, does not adequately protect human rights, is currently engaged in acts of armed aggression, or is not fully participating in the United Nations Register of Conventional Arms, should require a higher level of scrutiny than does a decision to provide such assistance and arms transfers to a government to which these conditions do not apply.

SEC. 2003. PURPOSE.

The purpose of this title is to provide clear policy guidelines and congressional responsibility for determining the eligibility of foreign governments to be considered for United States military assistance and arms transfers.

SEC. 2004. PROHIBITION OF UNITED STATES MILITARY ASSISTANCE AND ARMS TRANSFERS TO CERTAIN FOREIGN GOVERNMENTS.

(a) PROHIBITION.—Except as provided in subsections (b) and (c), beginning on and after October 1, 1998, United States military assistance and arms transfers may not be provided to a foreign government for a fiscal year unless the President certifies to the Congress for that fiscal year that such government meets the following requirements:

(1) PROMOTES DEMOCRACY.—Such government—

(A) was chosen by and permits free and fair elections;

(B) promotes civilian control of the military and security forces and has civilian institutions controlling the policy, operation, and spending of all law enforcement and security institutions, as well as the armed forces;

(C) promotes the rule of law, equality before the law, and respect for individual and

minority rights, including freedom to speak, publish, associate, and organize; and

(D) promotes the strengthening of political, legislative, and civil institutions of democracy, as well as autonomous institutions to monitor the conduct of public officials and to combat corruption.

(2) **RESPECTS HUMAN RIGHTS.**—Such government—

(A) does not engage in gross violations of internationally recognized human rights, including—

(i) extra judicial or arbitrary executions;

(ii) disappearances;

(iii) torture or severe mistreatment;

(iv) prolonged arbitrary imprisonment;

(v) systematic official discrimination on the basis of race, ethnicity, religion, gender, national origin, or political affiliation; and

(vi) grave breaches of international laws of war or equivalent violations of the laws of war in internal conflicts;

(B) vigorously investigates, disciplines, and prosecutes those responsible for gross violations of internationally recognized human rights;

(C) permits access on a regular basis to political prisoners by international humanitarian organizations such as the International Committee of the Red Cross;

(D) promotes the independence of the judiciary and other official bodies that oversee the protection of human rights;

(E) does not impede the free functioning of domestic and international human rights organizations; and

(F) provides access on a regular basis to humanitarian organizations in situations of conflict or famine.

(3) **NOT ENGAGED IN CERTAIN ACTS OF ARMED AGGRESSION.**—Such government is not currently engaged in acts of armed aggression in violation of international law.

(4) **FULL PARTICIPATION IN U.N. REGISTER OF CONVENTIONAL ARMS.**—Such government is fully participating in the United Nations Register of Conventional Arms.

(b) **REQUIREMENT FOR CONTINUING COMPLIANCE.**—Any certification with respect to a foreign government for a fiscal year under subsection (a) shall cease to be effective for that fiscal year if the President certifies to the Congress that such government has not continued to comply with the requirements contained in paragraphs (1) through (4) of such subsection.

(c) **EXEMPTIONS.**—

(1) **IN GENERAL.**—The prohibition contained in subsection (a) shall not apply with respect to a foreign government for a fiscal year if—

(A) subject to paragraph (2), the President submits a request for an exemption to the Congress containing a determination that it is in the national security interest of the United States to provide military assistance and arms transfers to such government; or

(B) the President determines that an emergency exists under which it is vital to the interest of the United States to provide military assistance and arms transfers to such government.

(2) **DISAPPROVAL.**—A request for an exemption to provide military assistance and arms transfers to a foreign government shall not take effect, or shall cease to be effective, if a law is enacted disapproving such request.

(d) **NOTIFICATIONS TO CONGRESS.**—

(1) **IN GENERAL.**—The President shall submit to the Congress initial certifications under subsection (a) and requests for exemptions under subsection (c)(1)(A) in conjunction with the submission of the annual request for enactment of authorizations and appropriations for foreign assistance programs for a fiscal year and shall, where appropriate, submit additional or amended certifications and requests for exemptions at any time thereafter in the fiscal year.

(2) **DETERMINATION WITH RESPECT TO EMERGENCY SITUATIONS.**—The President, when, in his determination, it is not contrary to the national interest to do so, shall submit to the Congress at the earliest possible date reports containing determinations with respect to emergencies under subsection (c)(1)(B). Each such report shall contain a description of—

(A) the nature of the emergency;

(B) the type of military assistance and arms transfers provided to the foreign government; and

(C) the cost to the United States of such assistance and arms transfers.

SEC. 2005. SENSE OF THE CONGRESS.

It is the sense of the Congress that the Committee on International Relations of the House of Representatives and the Committee on Foreign Relations of the Senate should hold hearings on—

(1) controversial certifications submitted under section 2004(a);

(2) all requests for exemptions submitted under section 2004(c)(1)(A); and

(3) all determinations with respect to emergencies under section 2004(c)(1)(B).

SEC. 2006. UNITED STATES MILITARY ASSISTANCE AND ARMS TRANSFERS DEFINED.

For purposes of this title, the terms “United States military assistance and arms transfers” and “military assistance and arms transfers” mean—

(1) assistance under chapter 2 of part II of the Foreign Assistance Act of 1961 (relating to military assistance), including the transfer of excess defense articles under section 516 of that Act;

(2) assistance under chapter 5 of part II of the Foreign Assistance Act of 1961 (relating to international military education and training); or

(3) the transfer of defense articles, defense services, or design and construction services under the Arms Export Control Act (excluding any transfer or other assistance under section 23 of such Act), including defense articles and defense services licensed or approved for export under section 38 of that Act.

Ms. McKINNEY (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentlewoman from Georgia?

There was no objection.

Ms. McKINNEY. Mr. Chairman, I ask unanimous consent that I be recognized for 8 minutes.

The CHAIRMAN pro tempore. Is there objection to the request of the gentlewoman from Georgia?

There was no objection.

Ms. McKINNEY. Mr. Chairman, I am very proud to offer the McKinney-Rohrabacher amendment, which I believe is a significant enhancement to the legislation we are now considering, the State Department authorization bill.

This is no longer a controversial amendment. Significant compromise and change have been incorporated into this new version of the Arms Trade Code of Conduct that I am introducing today. In the first version of the bill, the President would certify countries at the beginning of each fiscal year that comply with the code of conduct. If the President wanted to sell

weapons to a noncomplying government, then the President would have to come to Congress requesting an exemption and have that exemption approved by a vote in Congress.

The administration and some Members of Congress felt this gave too much authority to Congress and deprived the President of his ability to make foreign policy. In the spirit of compromise, we have stripped the original bill of this language and now all that remains are the underlying values that motivated this bill in the first place, and that is that the United States ought not be in the business of supplying weapons to dictators.

Gone is the automatic trigger that some objected to. And so now the piece of legislation before us asks us to make the fundamental assertion of what we stand for in the world and whose side we are on. Is it that the United States of America that speaks eloquently on the subject of respect for human rights and democracy and democratic traditions is only paying lip service to these ideals when confronted with a hungry client wanting our advanced technology only to enhance their ability to torture and abuse their own population? Or do we stand with those people around the world who are victims of the world's tyrants, who have no voice in the international arena and who only have the conscience of the world to help them?

This legislation helps to give the United States a conscience for the leaders around the world who do not have one. This legislation helps to give a voice to those people around the world who cannot speak out in their own countries. And finally, this legislation puts the international behavior of the United States in sync with our words, our beliefs, and our fundamental values.

The initial opponents of this bill did us a favor, really, by asking us to remove and cut certain sections of the bill, because what is left is the fundamental answer to the question, “Will we sell weapons to dictators?”

This bill is no longer about Presidential prerogatives being impinged on. This bill is no longer about too much congressional authority in the area of foreign policy-making. This bill is simply about whether we will apply the standards to our guns and tanks and missiles and bombs that we apply to computers and chemicals.

In this country, even a car is considered a lethal weapon, and we apply certain standards on who can operate a car. So getting a driver's license and keeping that license subjects us all to certain competency requirements, certain standards. If we lose our license, then we fail to meet the requirements for operating the car. Do we not consider it important who purchases our rifles, tanks, guns, and bullets? We even have laws that govern and restrict the flow of certain information and knowledge. Should we not at least be concerned about who gets our weapons that kill people?

At home, after much struggle, we have come up with standards on who can buy a gun. Convicted felons and the mentally ill cannot buy guns legally in this country. Thank goodness we were able to pass the Brady bill so that we could stop certain purchases of guns. Passing the Brady bill was done, though, only after the unreasonableness and extremism of the NRA was demonstrated to the American public.

Unfortunately, the code of conduct has its own equivalent to the NRA which, I believe, is not only extreme but also reckless in its disregard of what happens when these weapons are delivered to our dictator clients.

In 1964, the United States made a decision to support Mobutu Sese Seko, who became a tyrant and a dictator to the people of Zaire. Over the course of the decades of our support for his dictatorship, we shipped almost \$170 million of weapons to him. We provided \$18 million of training to the military; 1,356 officers, virtually the entire Zairian officer corps, received officer training. A total of \$187 million of U.S. military aid went to Zaire.

What was that aid? 2,500 riot control kits; 2,000 military vehicles for crowd control; 2,000 rifles; \$2 million worth of ammunition, and 24 military aircraft.

What we gave Mobutu was not military assistance to defend his country from outside intervention. What we gave to Mobutu was the means to control dissent and demonstrations. What we gave Mobutu was the means to control his own population and hence, to keep himself in power. As a result, we are complicit in how he used his military, trained and supplied by us.

This is the kind of end use that concerns us. This is the kind of end use that compelled Dr. Arias and four other Nobel Peace Prize winners to come together 2 weeks ago in New York to declare their support for the code of conduct. Dr. Oscar Arias brought together Jorge Ramos-Horta of East Timor, Betty Williams of Northern Ireland, His Excellency the Dalai Lama of Tibet, and our own Elie Wiesel. Organizations that have won the Noble Peace Prize were also represented at this press conference: Amnesty International, the American Friends Service Committee, and the International Physicians for the Prevention of Nuclear War. Dr. Arias also had letters of support from Archbishop Desmond Tutu, Lech Walesa, and several others who were not able to attend. The gentleman from New York [Mr. GILMAN] attended the press conference and was moved to a standing ovation after the remarks of Elie Wiesel.

So, people who have been recognized in the international community for their dedication to peace have come together to say that this legislation is necessary. How will history record those who do not support this legislation?

Member states of the European Union have already agreed to eight

common criteria governing their own arms transfers. There is growing support for European Union-wide code of conduct among all of Europe's governments. Germany, Sweden, The Netherlands, Belgium, and Ireland are all leading this fight. But the boldest steps have been taken by Tony Blair's Britain. The New Labour Government has declared that centrality of human rights in its weapons sales is central to its decisions.

So we are not alone, those of us who want the United States to stand on the opposite side of whatever dictator is there with ready cash for our guns and bullets. History teaches us that those weapons do not end up in a remote depot, they end up either intimidating or "in" people who want a better way of life and who dare to say so; who want freedom of expression and who dare to act; who want to live in a democracy as we do in this country and who dare to confront tyranny.

We are not alone at home either, even in this administration. The recently-confirmed CIA director, George Tenet, on May 6, 1997, at a session of the Senate Select Committee on Intelligence, said the following:

"But the proliferation issue—and particularly the proliferation of ballistic missiles—and conventional weapons—we often ignore what the proliferation of conventional weapons means for U.S. forces—this issue is probably the greatest threat to U.S. forces and our men and women who deploy overseas than any other" issue.

The CHAIRMAN. The time of the gentleman from Georgia [Ms. MCKINNEY] has expired.

(By unanimous consent, Ms. MCKINNEY was allowed to proceed for 30 additional seconds.)

Ms. MCKINNEY. Mr. Chairman, I cannot say it any better than our CIA director. The issue before the Congress today is a national security issue and a moral issue. Seldom are we given such a stark opportunity to be on the right side of both issues. The Arms Trade Code of Conduct is just such an opportunity.

I ask my colleagues to vote for this amendment and let us be known by the values we espouse and not the weapons of oppression that we supply.

Mr. Chairman, U.S. weapons are currently being used in 39 of the world's current 42 ethnic and territorial conflicts.

In the past 4 years, 85 percent of U.S. arms sales to the Third World have gone to undemocratic governments. The United States is responsible for 44 percent of all weapons deliveries in the world. The United States is unqualifiedly the arms dealer to the world, and the merchant for death to the world's dictators.

Language requiring Congress to approve an arms sale to a dictator before it's been made has been modified to give the President an automatic waiver for national security purposes which Congress could block after extensive debate.

A total of 453 American soldiers have been killed by armies strengthened by our own weapons and military training: Iraq, Saddam

Hussein; Panama, Manuel Noriega; Somalia, Siad Barre, and Haiti, the Duvalier family.

In fiscal year 1994 \$7 billion of taxpayer money went to subsidize U.S. arms exports. In fiscal year 1995, that figure jumped to \$7.6 billion. After agricultural price supports, this represents the largest subsidy program for business in the entire Federal budget—Welfare for Weapons dealers.

Our Government employs nearly 6,500 full time personnel to promote and service foreign arms sales by U.S. companies.

U.S. subsidies for arms transfers are scheduled to increase. The international market for U.S. arms is estimated to be around \$12 to \$16 billion per year. Therefore, our foreign customers aren't even paying for the weapons that they get. And more than half of U.S. weapons sales will be paid for by the U.S. taxpayers.

In 1995, subsidies for arms exports accounted for over 50 percent of U.S. bilateral aid and more than 39 percent of total U.S. foreign aid. The emphasis on promoting weapons exports has come at the expense of programs designed to promote economic development and social welfare in these recipient nations. I'd much rather see us exporting tractors and seeds to dictators than guns and bullets.

The American arms trade policy is killing our citizens, destroying worldwide democracy, and sending us spiraling down a path of economic ruin.

President Dwight D. Eisenhower said, "There can be no peace without law. And there can be no law if we were to invoke one code of international conduct for those who oppose us and another for our friends." We must help to stop the arms trade boomerang. Over 300 organizations support the No Arms to Dictators Code of Conduct. Among these organizations are: Vietnam Veterans Of America Foundation, Young Women's Christian Association—the YMCA—of America, and Bread of the World, and organizations of the Presbyterian, Lutheran, and Roman Catholic churches.

I would like to thank the hundreds of volunteers who have put thousands of hours into making the U.S. Code of Conduct our law.

Each of us must be concerned about what happens when we sell weapons to dictators.

I urge my colleagues to support the Arms Trade Code of Conduct.

Mr. SMITH of New Jersey. Mr. Chairman, I rise in support of the amendment, the Arms Transfer Code of Conduct, and it will be the first major reform of U.S. arms transfer policy in almost two decades.

The code of conduct highlights guiding principles on human rights and democracy, which I believe are important to America's leadership role in the post-cold war era. This amendment would help stem the flow of U.S. weapons to countries that brutalize their own people.

The code of conduct would make it clear that in the 21st century the United States of America intends not just to be a military and economic superpower but a moral superpower as well. It signals an end to business as usual for human rights violators.

Mr. Chairman, two-thirds of all of our foreign military sales go to countries described by the State Department Country Reports on Human

Rights Practices as human rights violations with undemocratic governments.

Mr. Chairman, a few years ago I made a trip to Croatia when it was under siege. The gentleman from Virginia, [Mr. WOLF], and I visited a city that was literally surrounded by tanks and by military, a place called Vukovar. Vukovar was finally leveled, but while we were there we saw the bomb casings and we saw the 500-pound bombs that were dropped. And I will never forget taking pictures of these bomb casings that had U.S. markings all over them.

I will never forget also talking to President Milosevic and trying to ask him to stop that carnage that was going on in Croatia. Later on it was rolled out to Bosnia. Much of their military capability came from the United States and then was used in a slaughterhouse fashion against people who were unarmed, women and children and men who were civilians.

Mr. Chairman, the code of conduct is not a threat to U.S. national security. It contains a provision for an emergency waiver that would allow the President to transfer arms to a country that does not meet the code's criteria if U.S. national security really did require such a transfer, and it provides for an orderly process for Congress to consider other exceptions of non-emergency nature.

Mr. Chairman, year after year in human rights hearings in the Subcommittee on International Operations and Human Rights, which I now chair, we hear there is a disconnect in U.S. foreign policy between human rights and other considerations. Amnesty International put it best when it said about this administration's human rights policy, that "Human rights is an island off the mainland of U.S. foreign policy." This amendment is a step toward closing the circle, connecting things that ought to be connected.

We must tell the world that freedom and democracy do matter. A good way to begin is by telling the world that the United States will not put deadly weapons into the hands of the enemies of freedom and democracy.

Mr. Chairman, I want to congratulate the gentlewoman from Georgia, [Ms. MCKINNEY], and the gentleman from California, [Mr. ROHRABACHER], for their good work in crafting this amendment, and again I rise in very strong support of it.

□ 1745

Mr. ROHRABACHER. Mr. Chairman, I move to strike the requisite number of words.

First of all, I would like to congratulate the gentlewoman from Georgia [Ms. MCKINNEY] on fighting the leadership on this issue. This is not a left-wing issue. This is not a right-wing issue. I am very proud to be here today to stand with CYNTHIA MCKINNEY and all the rest of my colleagues who support this moral code of conduct for the United States of America.

In the post-cold war, the code of conduct is totally consistent with America's traditions and America's principles. In the long-term, it will not only serve the interest of human freedom, but it will also serve our national security and international stability requirements as well.

During the cold war, compromises were necessary. These were compromises that we had to make with nondemocratic regimes because we were defending against even larger gangsters and thugs who wanted to destroy the United States of America and the free world. Today, we should stand for freedom and democracy and we should insist that this be a basis for any relation that we have with other countries and other governments.

I served Ronald Reagan in the White House, who altered a fundamental tactic that was being used during the cold war. Before Ronald Reagan, the U.S. Government was always anti-Communist. But during Ronald Reagan's term of office, he changed our position to being profreedom. Today we should continue Ronald Reagan's successful profreedom policy by pulling back from shipping arms to dictatorships and making sure that we are on the side of the people rather than on the side of the oppressors in those countries where dictatorships exist. This will be in the long-term interest of the United States.

This was, in this policy that Ronald Reagan articulated during the 1980's, is what ended the cold war. It was not the fact that we had more missiles and more guns, although we did increase our weapons. It was the fact that America began to realistically and seriously talk about the promotion of democracy in the world. And in the end, the people who lived under tyranny hammered away at their walls and pulled those walls down and united themselves with the good and decent and democratic countries of the world.

This amendment will in fact strengthen American foreign policy by empowering our diplomats to tell the military dictators that they should liberalize their policies, respect human rights, and join the family of democratic nations, or we will not be their friend and we will not provide them weapons to repress their own people.

What does selling weapons to dictatorships really mean? It means that we will give weapons to people who thwart democratic elections, oppress their people, and then we will expect their people to pay us back. Well, is that not something to be proud of? That is something we can no longer accept in the United States of America. The cold war is over. It is time for us to have a new code of conduct that puts democracy and human rights ahead of a fast buck in selling weapons to the dictators around the world who repress people and violate the very principles which this country is supposed to be all about.

What will the people of the world think about us if we adopt this kind of

type of code of conduct? Well, they will know that we are on their side and not the side of the thugs and gangsters who hold power in too much of the world today.

Our Founding Fathers believed that America would be and should be the beacon of liberty, of hope and justice to the whole world. That was our strength. That is what the Founding Fathers believed in. That is what America is supposed to be all about. It is not that we are the toughest guy in the world and have the most weapons, but we can count on the friendship of good and decent people all over the world. That is where America's strength is. That is the type of world we are trying to build. America's strength was not in that we were allied with dictatorships.

Let me note that on this floor we have two pictures. We have George Washington over here and we have the Marquis D'Lafayette here. Why do we have a picture of a foreigner on the floor of Congress? This was a man who came to the United States before there was a United States. He stood for the principles of freedom and democracy and helped us win our battle against the most oppressive, imperialistic power of the day, Great Britain.

We do not want to betray our Founding Fathers today and side with the oppressors of the world, the people who would use weapons to oppress their own people and stifle democratic institutions. If we do, if this is our policy now that the cold war is over, I can assure my colleagues that if we look at George Washington, the father of our country, and if we look very closely into the eyes of Lafayette, that we will see a tear because they will know that we are no longer the American people that they thought we would be.

So I stand here today with people who only years ago were my adversaries on many issues.

The CHAIRMAN pro tempore [Mr. EWING]. The time of the gentleman from California [Mr. ROHRABACHER] has expired.

(By unanimous consent, Mr. ROHRABACHER was allowed to proceed for 30 additional seconds.)

Mr. ROHRABACHER. Mr. Chairman, I would just say that I am very proud to stand with the gentlewoman from Georgia [Ms. MCKINNEY], the gentleman from California [Mr. DELLUMS], very proud to stand with the gentleman from New Jersey [Mr. SMITH], and people on both sides of the aisle, who are saying that through this code of conduct, this is the way America will be strong, this is the way we will live up to what our Founding Fathers wanted us to be, and it is a bipartisan issue, and together we are standing for the true and democratic principles that our Founding Fathers believed in.

I thank the gentlewoman from Georgia.

Mr. DELLUMS. Mr. Chairman, I move to strike the requisite number of words.

I yield to the gentlewoman from California [Ms. PELOSI].

(Ms. PELOSI asked and was given permission to revise and extend her remarks.)

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise in support of the new code of conduct for weapons sales, and I commend the gentlewoman from Georgia [Ms. MCKINNEY] for exceptional leadership on this, as well as the gentleman from California [Mr. ROHRBACHER] for his, as well.

Mr. MCGOVERN. Mr. Chairman, will the gentleman yield?

Mr. DELLUMS. I yield to the gentleman from Massachusetts.

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Chairman, I thank the gentleman for yielding. I rise in support of the McKinney amendment.

Mr. Chairman I rise today in support of the amendment offered by the gentlelady from Georgia [Ms. MCKINNEY]. I want to thank her for the leadership she has taken on this very important issue to establish a code of conduct on U.S. arms transfers.

Mr. Chairman, the United States is the *world's undisputed political leader*. We are *also the undisputed leader in arms exports*, shipping more arms abroad than all other countries combined. If we are to set a standard that establishes a pro-democracy, pro-human rights criteria for arms transfers, U.S. leadership is crucial. If the United States sets a standard, then our Government can challenge others to adhere to similar standards. When the United States has led the way in the past—such as in the control of ballistic missiles—other nations soon followed.

Simply put, Mr. Chairman, this code of conduct would declare, clearly and unambiguously, that the United States will no longer play the dangerous game of putting dangerous weapons in the hands of dangerous governments. The United States will no longer fuel regional arms races. And the United States will no longer be associated with repression and international weapons proliferation.

The code of conduct that would be established by approving this amendment is very simple. For a country to be eligible to receive U.S. weapons, they must meet four criteria. They must: First, be a democratic form of government; second, respect the basic human rights of their citizens; third, refrain from aggression against other nations; and fourth, fully participate in the U.N. Register of Conventional Arms. These criteria are all primary tenets of U.S. past and present foreign policy. The President may exempt a country from this criteria and the Congress would need to affirm that decision. Over 100 national organizations in the United States support this code of conduct.

A Commission of Nobel Peace Laureates, made up of 16 Nobel Peace Prize winners, have called for an international code of conduct on arms transfers. This commission includes such individuals as Oscar Arias, the former President of Costa Rica; the Dalai Lama; Jose Ramos-Horta from East Timor; Lech Walesa of Poland; Archbishop Desmond Tutu from South Africa; Holocaust survivor

and author Elie Wiesel; Mairead Maguire, the champion of peace in Northern Ireland; Rigoberta Menchu, Mayan Indian and human rights advocate from Guatemala; human rights and development champion, Adolfo Perez Esquivel of Argentina; Amnesty International; the American Friends Service Committee; the International Physicians for the Prevention of Nuclear War; and several others.

Certainly the United States should be the leader on such an important international policy.

Yet for some reason, the United States has abrogated its responsibility to be the world leader on this issue. Instead, of the countries that comprise 80 percent of the world's arms exports, only France and the United States remain uncommitted to a policy of denying arms to dictators and human rights abusers. When the Labour Party won the recent elections in Great Britain, they immediately declared that the "Labour Government will not issue export licences for the sale of arms to regimes that might use them for internal repression or international aggression, nor permit the sale of weapons in circumstances where this might intensify or prolong existing armed conflicts or where these weapons might be used to abuse human rights." They also pledged that the British Government will now work for the introduction of a European code of conduct to govern arms exports from all the European Union member states.

Mr. Chairman, the time has come for the United States to establish a code of conduct. I urge my colleagues to vote in support of the McKinney amendment.

Mr. Chairman, I enter into the RECORD the Labour Government's policy on a responsible arms trade along with information on the positions of other European leaders on this issue.

LABOUR'S POLICY PLEDGES FOR A RESPONSIBLE ARMS TRADE

EIGHT STEPS TO STOP THE ARMS-TO-IRAQ SCANDAL HAPPENING AGAIN

1. A Labour Government will not issue export licences for the sale of arms to regimes that might use them for internal repression or international aggression, nor will we permit the sale of weapons in circumstances where this might intensify or prolong existing armed conflicts or where these weapons might be used to abuse human rights.

2. Labour will increase transparency and introduce more stringent controls over the export of defence equipment in line with recommendations of the Scott Report. We will therefore publish an annual report on UK strategic exports. The report will set out the state of export controls and report on their application. It will set out the total value of defence exports to each country, list by country of destination the number of items delivered in each equipment category and give details of all export licences granted and refused. It will be expected that the Foreign, Defence and Trade and Industry Select Committees will wish to examine the annual report which in turn may pave the way for a parliamentary debate.

3. Labour will press for a European Register of Arms Exports which will provide at a European level the information that Britain will make available in the annual report.

4. Labour will work to strengthen the UN Conventional Arms Register encouraging greater disclosure of information on arms exports and arms transfers by all countries and extending it to include other categories of weapons such as small arms.

5. Labour will work for the introduction of a European Code of Conduct setting high

common standards to govern arms exports from all European Union member states.

6. Labour will prevent British companies from manufacturing, selling or procuring equipment, such as electric shock batons, designed primarily for torture and we will press for a global ban.

7. Labour will ban the import, export, transfer and manufacture of all forms of anti-personnel land mines and their component parts and we will introduce an immediate moratorium on their use. We will also press internationally for more rapid progress in demining operations.

8. The Scott Inquiry Report demonstrated the extent of "diversionary routes" used by Iraq to acquire defence equipment through third countries using false end-user certificates. Labour will strengthen monitoring of the end-use of defence exports to prevent diversion to third countries and to ensure that exported equipment is used only on the conditions under which the export licence has been granted. We will also seek cooperation to build a common approach on effective monitoring of end-use within the European Union and under the Wassenaar Arrangement.

EUROPEAN PARLIAMENT,
MEMBER OF THE EUROPEAN PARLIAMENT,

May 9, 1997.

DEAR REPRESENTATIVE: We understand that the House of Representatives will be voting on the US Code of Conduct on Arms Transfers which will be offered as an amendment to the Fiscal Year 1998-99 Foreign Aid and State Department Authorisation Bill (HR 1486). We look forward to Congress taking a lead on this vitally important issue.

There are important opportunities this year for the European Union and the United States to coordinate the establishment of similar controls on the arms trade. Previously no country has been willing to take significant unilateral steps towards control, fearing the loss of export markets to competitors. It is, therefore, vital that the US and the EU, as the world's leading suppliers, act together to implement restraint.

Within the European Union (EU), the new British government is committed to establishing an EU Code of Conduct on the arms trade setting high common standards of restraint for all EU Member States. The German, Swedish, Dutch, Irish and Belgian governments have also indicated their support for a restrictive common EU arms export policy as advocated by an EU Code. At European level the European Parliament has passed three resolutions calling on Member States of the European Union to develop a Code of Conduct on arms transfers.

Lack of restraint in the past has led to so-called boomerang effect situations. During the Gulf War allied troops faced an Iraqi army supplied with weapons from both the United States and Europe. Similarly, US troops in Panama, Haiti, Somalia, and the former Yugoslavia have faced hostile forces armed with weapons and weapons technology supplied by the United States.

The establishment of parallel Codes of Conduct on both sides of the Atlantic would counter the familiar argument "if we don't sell arms, someone else will". The debate over US policy on sales of high tech. weaponry to South America highlights the urgent need for a co-ordinated approach. In the past, concerns over the dangers posed by the introduction of new levels of technology dictated US policy in the region. Yet now, the Clinton Administration finds itself under pressure to change its policy, for fear of "losing" sales to Europe and other competitors. The establishment of similar Codes in the US and EU removes this risk by creating responsible common controls.

A European Code of Conduct, similar to that which the House of Representatives is

soon to consider, would seek to expand, clarify and implement criteria already agreed by EU Member States. These criteria stress that weapons exports should take into account such factors as the internal and regional stability of recipient states, the human rights record of the recipient state, and the status of democracy in the recipient state.

The adoption of responsible Codes of Conduct in the EU and US would also encourage progress towards the establishment of an International Code of Conduct within the United Nations. With this in mind a Commission of Nobel Laureates led by Dr Oscar Arias, including Mikhail Gorbachev, Jose Ramos Horta, The Most Reverend Desmond Tutu and The Dalai Lama is currently encouraging the development of a such a Code.

We write to encourage you to support the Code of Conduct on Arms Transfers amendment. Due to its undisputed position as the world's leading weapons exporter, success in the United States will add significant weight to the move towards efforts to establish a European wide Code of Conduct. We look forward to Congress taking a leading role, and to a positive outcome.

Yours sincerely,

Glenys Kinnock MEP (UK), First Vice-President, ACP/EU Joint Assembly; Michel Rocard MEP (France), President, Committee for Development Co-operation; Jan Willem Bertens MEP (Netherlands), President, Sub-Committee on Security and Disarmament; Wilfred Martens MEP (Belgium), President of the European People's Party; Bernie Malone MEP (Ireland), Vice President, Employment and Social Affairs Committee; Pauline Green MEP (UK), Leader of the Socialist Group; Dr Christoph Konrad MEP (Germany), Member, Sub-Committee on Security and Disarmament.

CODES OF CONDUCT ON ARMS TRANSFERS: AN OPPORTUNITY FOR THE UNITED STATES AND ITS EUROPEAN ALLIES TO WORK TOGETHER

The European Union (EU) and the United States together account for 80 percent of the global arms trade. There is clearly a need for a more responsible, principled approach to arms exports on the part of the major suppliers. More specifically, increased coordination on arms export policy between the United States and the European Union would better allow the allies to work in concert in their efforts to promote democracy and international stability. A coordinated export policy should emphasize regional and international security considerations, as well as human rights and development, and not allow such critical foreign policy concerns to be overshadowed by short-sighted commercial interests.

The EU has already agreed to eight common criteria governing arms exports, and there is significant progress on expanding the criteria. Specifically, there is growing support among European governments, including the UK and Germany, for an EU-wide Code of Conduct on the arms trade setting high common standards for weapons exports for all EU countries. In addition:

The new UK Government has pledged that it will "work for the introduction of an EU Code of Conduct setting high common standards to govern arms exports from all European Union Member States."

The German government "favours the most binding application possible of the fundamentals contained in the EU Code of Conduct on the arms trade."¹

THE NEED FOR MULTILATERAL ACTION

Focusing narrowly on maintaining market share, to date, no country has been willing to take unilateral steps toward control, fearing it will lose export markets to competitors. Therefore, it is vital that as the world's leading suppliers, the EU and the United States work together to implement restraint. Building on common guidelines already agreed by the EU and by the Organization on Security and Cooperation in Europe (OSCE), the U.S. and EU should institute parallel Codes of Conduct on arms transfers. Together, these Codes would:

Protect European and American military personnel. Lack of restraint and common policy on arms exports places our armed forces at risk in overseas operations. This weapons "boomerang" endangered European and American troops who faced weapons supplied by their own governments during peacekeeping operations in Somalia, Bosnia and Rwanda. Allied troops also faced an Iraqi army heavily armed as a result of arms exports from the UK and France during the 1980s.

Prevent undercutting. In response to concerns over controversial weapons sales, weapons manufacturers often take the focus away from the policy implications of these transfers by arguing that "if we don't sell, someone else will." As a result, threats of lost market share have overshadowed the real consequences of these transfers—even in the most controversial weapons sales. Cooperation on export policy will prevent either U.S. or European companies from undercutting one another in pursuit of sales, and as a result will allow governments to take a more measured look at the foreign policy and human rights implications of proposed transfers.

Reduce discrepancies on human rights and regional stability. The "if we don't sell, someone else will" argument used by the defense industry also misses the point that weapons sales are not just like any other commodity sold on the international market. Governments deal with weapons transfers differently precisely because the impact that weapons transfers can have is so vast. As major suppliers, the U.S. and EU have a special responsibility to ensure that the perceived economic gain of a weapons transfers does not take precedence over key foreign policy concerns, and that weapons transfers do not contribute to instability and global violence. While human rights and regional stability considerations already play a role in decision-making on arms sales on both sides of the Atlantic, there is considerable divergence in how these standards are translated into policy by different governments. For example, in response to human rights violations, the US has a ban on the export of armored personnel vehicles to Indonesia, whereas the UK recently signed a deal for 100 such vehicles. Parallel US and EU Codes would encourage a convergence of arms export control policies at the higher levels of restraint, thus helping to iron out such discrepancies.

PROGRESS ON THE EU CODE OF CONDUCT

In the aftermath of the Gulf War, EU countries agreed eight common criteria to govern arms exports. These were designed to restrain arms sales to regions of tension, to countries with poor human rights records and to military aggressors. Currently, however, these criteria are vague and non-binding. Despite the adoption of common guidelines, EU countries continue to maintain divergent national arms export policies. Export policies vis-à-vis Indonesia provide a particularly striking example. The UK and Germany will export weapons to Indonesia, though Germany has a presumption of denial

on light weapons transfers. Other EU countries' policies are more restrictive. For example: Portugal has a self-imposed arms embargo on Indonesia; Sweden will not approve any new weapons contracts; and Italy temporarily suspended arms exports to Indonesia in 1993 following UN criticism of the Suharto regime's human rights record.

This failure to implement common arms export controls has enabled the EU Member States to defend arms exports to countries in regions of tension or with poor human rights records by arguing that "if we don't sell arms, someone else will." Subsequently, several European governments including the UK and Germany support the adoption of an EU Code of Conduct on the arms trade which would provide a common, restrictive interpretation of the eight criteria. Several other governments, including Sweden, Netherlands, Italy, Belgium and Ireland have also given their qualified support for the EU Code. Specifically, the Code initiative seeks to:

Strengthen the eight criteria already agreed by providing a restrictive interpretation of them and making them legally binding on all EU countries.

Increase accountability and transparency in the arms trade by providing a tool by which parliamentarians can monitor government practice against objective standards.

CODES OF CONDUCT GAINING SUPPORT ACROSS EUROPE AND BEYOND

Support for an EU Code is growing, with the United Kingdom, Germany, Sweden, the Netherlands, Italy, Belgium and Ireland all lending their support to the initiative. Given the new British government's declarations in support for an EU Code, the initiative is likely to gain significant momentum, when the UK holds the EU Presidency in the first half of 1998.

A cross-party network of over 300 parliamentarians across Europe have pledged their individual support for efforts underway to establish Codes of Conduct in the EU and US. Supporters include: Robin Cook, UK Foreign Secretary; Margaret Beckett, UK Minister for Trade and Industry; Reginald Moreels, Belgian Development Minister; Michel Rocard, Member of the European Parliament and former French Prime Minister; and Jan Willem Bertens, Member of the European Parliament from the Netherlands and Chair of the Committee on Security and Disarmament.

An array of over 100 eminent figures have declared their support for national, regional, and international codes of conduct. Supporters include: Dr. Oscar Arias; Dr. Joseph Rotblat; Rev. Desmond Tutu; Mikhail Gorbachev; the Dalai Lama; Patricia Derian, former US Assistant Secretary of State for Human Rights and Humanitarian Affairs; David Lange, former Prime Minister of New Zealand; Barber Conable, former President of the World Bank; and Nobel Peace Prize laureate Mairead Maguire.

Former President of Costa Rica Dr. Oscar Arias has convened a commission of his fellow Nobel Peace laureates to serve as a high-profile "moral voice" in support of Codes of Conduct. The Commission of Nobel Laureates currently includes: Dr. Oscar Arias, Mikhail Gorbachev, Archbishop Desmond Tutu, the Dalai Lama, Lech Walesa, Joseph Rotblat, Mairead Maguire, Betty Williams, Ellie Weisel, José Ramos Horta, Adolfo Perez Esquivel, and Norman Borlaug, as well as Amnesty International, and the American Friends Service Committee. Dr. Arias and the Laureates Commission are now actively promoting a model international code to governments, UN officials, and the general public around the world.

Mr. LUTHER. Mr. Chairman, will the gentleman yield?

¹ The proposed EU Code of Conduct text drafted by the British American Security Information Council, Saferworld, and the World Development Movement.

Mr. DELLUMS. I yield to the gentleman from Minnesota.

(Mr. LUTHER asked and was given permission to revise and extend his remarks.)

Mr. LUTHER. Mr. Chairman, I rise also in support of the McKinney amendment. I commend the gentlewoman for her outstanding leadership on the code of conduct.

Mr. Chairman, I rise in support of the McKinney amendment that aims to curb the proliferation of conventional weapons around the world. The push to sell arms overseas began in the early 1990's after the end of the cold war when Pentagon procurement of conventional weapons significantly decreased, and today in some instances, the U.S. Government is actually encouraging foreign government to purchase arms from U.S. defense contractors. This policy is unacceptable, and I call on the administration to join us in curbing these sales.

This Code of Conduct simply requires congressional approval for arms transfers to foreign governments that are undemocratic, do not protect human rights, or are engaged in acts of armed aggression. This common sense amendment does not restrict arms sales to our strongest allies and makes exceptions in cases where national security is an issue.

The United States is by far and away the world's premier arms dealer, and a high percent of U.S. arms sales to the developing world are to non-democratic countries where citizens have no right to choose their own government. These sales strengthen repressive and corrupt militaries and often these countries purchase weapons at the expense of much needed investments in education, health care and basic infrastructure needs. Sometimes these weapons are used against our country's own armed forces.

The European Union, as the second largest arms dealer in the world, has already agreed to eight common criteria governing arms exports and is making significant progress in expanding the criteria. Therefore, the argument that "if we don't sell arms, someone else will," cannot be used in opposition to this amendment. There should be a coordinated policy between the United States and Europe relating to arms sales, and the European Union is to be commended for taking the lead in addressing this critical issue.

With the end of the cold war, the proliferation of conventional weapons around the globe has become an issue of international concern. I urge my fellow House Members to support this responsible amendment. I also commend Ms. MCKINNEY from Georgia for her hard work on this issue.

Mr. ENGEL. Mr. Chairman, will the gentleman yield?

Mr. DELLUMS. I yield to the gentleman from New York.

(Mr. ENGEL asked and was given permission to revise and extend his remarks.)

Mr. ENGEL. Mr. Chairman, I rise in strong support of the McKinney amendment. We ought not to transfer American weapons to foreign governments that are undemocratic.

Mr. SANDERS. Mr. Chairman, will the gentleman yield?

Mr. DELLUMS. I yield to the gentleman from Vermont.

(Mr. SANDERS asked and was given permission to revise and extend his remarks.)

Mr. SANDERS. Mr. Chairman, I rise in strong support of the McKinney amendment and congratulate the gentleman from California [Mr. ROHRBACHER] on his efforts. This is an important step forward.

Mr. DELLUMS. Mr. Chairman, I sense that we are in the closing moments of this debate and I sense that there is clearly an emerging very strong bipartisan consensus in support of this amendment. So I would simply, in brief, congratulate and thank both my distinguished colleague, the gentlewoman from Georgia [Ms. MCKINNEY], and my distinguished colleague, the gentleman from California [Mr. ROHRBACHER] for their persisting in this effort to establish a code of conduct for this Nation on the transfer and the sale of military arms.

In brief, if we continue, Mr. Chairman, to look upon weapons sales as one of our major exports, I believe that it is imperative that, as a great nation, we establish some basic ground rules on such sales. The beauty, the brilliance, and the eloquence of the amendment that is before us lies in the fact that it is both basic and simple. It simply asks that any country receiving U.S. arms meet four very straightforward conditions. I repeat them and underscore them for the purposes of emphasis:

One, have a democratic form of government. Two, respect human rights. Three, be nonaggressive. And four, participate in the U.N. register of conventional arms. What could be more fundamental? What could be more basic? What could be more simple? Therein lies the eloquence, the brilliance, and the genius of this amendment.

As a longtime supporter and one who has given all of my adult life to the cause of peace, I am pleased, proud, and honored to associate myself with the remarks of all of my colleagues who have spoken prior to me at this point. I would urge my colleagues to support the amendment.

Mr. CAMPBELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in strong support of the amendment by my colleague from Georgia [Ms. MCKINNEY], and I wish to recount to my colleagues that during the committee deliberation she was gracious enough to accept an amendment of mine to her amendment, which enabled me to support it. It may be of importance to other colleagues who had the same reservation that I did to notice what this amendment does.

The concern that I had is that occasionally American foreign policy requires the transfer of arms to nations that are not exactly exemplars of human rights, but oftentimes we nevertheless find it in our interest to transfer arms to such countries so that they might transfer arms to others.

One can imagine, for example, if it is in the United States interests, and it might be, to support one side or other in a war, let us say an Iran-Iraq situation, but we nevertheless may not wish that to be known as a matter of public knowledge. We might transfer arms to Saudi Arabia and Saudi Arabia would then transfer them.

In any event, whether that hypothetical is accurate or not, the thought occurred to me that we must be careful to leave the President sufficient freedom when a special circumstance arises that he could carry out the policy of the United States without having it spread across the front pages of the newspapers.

And so the gentlewoman from Georgia [Ms. MCKINNEY] was kind enough to accept in the committee, and we all approved in the committee, the amendment which is now found in the committee print of the bill in clause (d)(2): "The President, when in his determination it is not contrary to the national interest to do so, shall submit to the Congress at the earliest possible date reports containing determinations with respect to emergencies under subsection (c)(1)(b)."

That sentence was added at my request. As a result, if I might just take a moment and parse this, when the President realizes that it is in the national interest not to do so, when it is in the national interest not to make this transfer public, he may, under the emergency circumstances presented in the bill, refrain from doing so.

Certainly, it is in the interest of all of us in the normal case, and consistent with the sense of the amendment of the gentlewoman from Georgia [Ms. MCKINNEY] that we do make public departures from our policy regarding States that fail to meet the standards that were outlined in the amendment. But, occasionally, this will not be the case.

I note to all of my colleagues who might have had concerns about the amendment that as it has now been amended, as it now reads, they should not have such a concern. If it is in the national interest to do so, the President need not make an arms transfer a matter of public record.

Accordingly, I was able to support the McKinney amendment. In the previous Congresses I was not able to do so. But I thought in this case my colleague was gracious, and, I believe, served the national interest, in accepting this amendment. So today, Mr. Chairman, I am able to support it and I urge my colleagues to support it and particularly those of my colleagues who might have expressed some concern about the amendment heretofore.

Last, in one point of lightness to my good friend and colleague from California, Mr. DELLUMS, I believe the provision is that countries must be democratic and not Democrat. I could be in error about that, but I think that is how it should be.

Mr. DELLUMS. Mr. Chairman, if the gentleman would yield, democratic is

what the gentleman attempted to say. We tend to get into this Democrat business and I do not like that. I would like to think we are talking substantively here, we are talking about democracy.

Mr. CAMPBELL. Mr. Chairman, might I reclaim my time by saying that the gentleman portrays the very best of that spirit and I was offering the correction only in the sense of humor.

Mr. KENNEDY of Massachusetts. I rise in strong support of my colleagues' amendment. I am pleased to have worked with them for many years now on the issue of demilitarization around the world. By promoting demilitarization we are able to help insure our own Nation's security interest.

In 1995, I joined with Dr. Oscar Arias, the Nobel Peace Prize winner, to launch the Year 2000 Campaign. This campaign seeks to have industrialized nations condition their aid to promote demilitarization. I believe that we should condition U.S. foreign assistance on the size of a country's military budget.

Last Thursday, Dr. Arias joined Betty Williams of Northern Ireland, Elie Wiessel the Holocaust survivor, the Dalai Lama, Desmond Tutu of South Africa, and ten other winners of the Nobel Peace Prize to announce their support for the International Code of Conduct, which is based on the McKinney-Rohrabacher bill.

I do not believe that the U.S. tax dollars should be used to help subsidize a country's military expenditures when that country does not have a democratically elected government or it spends more on weapons than on health care or nutrition or education.

Non-democratic governments received 84 percent—nearly \$50 billion—of the \$59.1 of American weapons that were transferred to developing countries through foreign aid or Pentagon administered corporate sales during the past 5 years.

Developing countries received 67 percent of the \$88.5 billion total of U.S. arms transfers during the past 5 years.

Perhaps Indonesia provides the best example of what we ought not to be doing. The Indonesian Armed Forces have become a military mafia, receiving \$1.6 billion every year in United States backed loans from the World Bank—equal to that country's entire reported military budget. Yet it is no secret that the Indonesian military under-reports its military expenditures by somewhere between 25 and 50 percent.

In Indonesia we see a military economy, dictatorship, human-rights abuses, and the illegal occupation of East Timor. The army controls massive private and state-run corporations. They systematically shake-down the wealthy ethnic Chinese business community. The military maintains a shadow government controlling life from the national level to the smallest village.

This amendment would end United States military support for Indonesia. And, after last month's fraudulent elections in which only one party was allowed to campaign and opposition leaders were harassed and jailed, it is about time that the United States end support for Indonesia.

The code of conduct required foreign governments to promote democracy through a free, open, and fair elections. It requires them

to promote the rule of law. It requires them to respect human rights. It requires them not to be engaged in armed aggression that violates international law. And it requires them to fully participate in the U.N. Register of Conventional Arms.

These are all ideals which all Americans share. Shouldn't our foreign aid policy reflect these ideals?

Mr. Chairman, the United States has a great deal of power. We also have a great deal of responsibility. We should help foster democracy and freedom in the world. I urge all my colleagues to vote yes on this amendment.

Mr. NADLER. Mr. Chairman, I rise to support the McKinney-Rohrabacher amendment to establish an arms sales code of conduct.

After more than 30 years of the cold war with record high peacetime defense budgets and a tremendous amount of global arms exports, the United States has left the world armed to the teeth with millions of tons of bombs, jets, submarines, and artillery. The world is awash in weapons.

These excessive exports have fueled armed conflicts throughout the world, destabilized regions, and have forced governments of developing nations to spend more money on arms and less money on the vital needs of their people.

In 1994 alone the United States sold or gave \$13 billion of weapons to almost 100 countries, many of which, according to the State Department's Country Reports on Human Rights, are run by abusive or non-democratic regimes. In Panama, Iraq, Somalia, and Haiti, United States Forces were threatened by troops assisted by United States training, weapons, or military technology.

We must put an end to this deadly cycle, and this amendment would do just that by giving Congress a real role in shaping U.S. arms export policy. The bill does not impose an inflexible ban, but instead provides for a responsible review policy, whereby Congress must carefully consider arms sales to abusive regimes. If congress agrees with the President that it is in our national interest to continue to sell weapons to a particular country, then sales would be permitted. This is not a ban on all arms exports; it is a reasonable step that we can take now to begin to curb weapons sales to dangerous regimes.

As the leading arms exporter, the United States has the opportunity and the responsibility to accept certain limitations on the sale of American arms. If we act boldly on this issue, I am confident the world will follow. When the United States led the way by refusing to export anti-personnel landmines, the rest of the world followed and enacted bans of their own. Efforts are already underway to create an international code of conduct on conventional arms transfers, and voting for this amendment will further strengthen those efforts.

I want to commend Representatives MCKINNEY and ROHRABACHER for offering this amendment and I urge my colleagues to vote for it.

Ms. HOOLEY of Oregon. Mr. Chairman, I rise in support of this amendment. I support the measure because we cannot, in good conscience, continue to turn a blind eye to the undemocratic and often deplorable practices of a few rogue nations.

The code of conduct legislation does more than just recognize the atrocities being com-

mitted by these countries. It directs the President to certify countries interested in purchasing weapons from the United States based on their ability to institute democratic practices. The code would prohibit sales of arms to nations partaking in human rights violations and acts of aggression.

Former Senator Hatfield, one of the original sponsors of code of conduct legislation in Congress, stated that last year that "it is time for Congress to assume a greater responsibility for our arms export policies." Those words still ring true. This week, we have voted on amendments to condemn various countries from involvement in terrorism, for brutal acts of religious or ethnic persecution, and to punish countries for acts of armed aggression. Yet, some Members would vote to allow continued sales of arms to these same countries which have raised our ire. It's time to stop talking about the horrific acts of these rogue nations and start doing something to curb the ability of those nations to acquire the tools to conduct their atrocities.

Furthermore, how can we continue to sell arms to nations that may use those weapons against American soldiers? This practice puts our sons and daughters in further danger whenever our troops are deployed. Our soldiers have already faced forces armed with United States produced weapons in recent troop deployments in Iraq, Somalia, Haiti, and Panama. This is unacceptable.

Let's finally bring some accountability to the process of selling arms on the international market. I urge my colleagues to support this amendment.

Mr. FARR of California. Mr. Chairman, I rise today in support of implementing a code of conduct for U.S. arms transfers.

The spread of weapons is one of the most serious threats to our Nation's security today. Unfortunately, our own country has contributed to this proliferation. Tens of billions of dollars of weapons are sold by U.S. arms manufacturers to countries around the world, and today the United States is a leading supplier of military equipment to foreign nations.

Many of these weapons sales are made to governments that are hostile to the United States or to their own people. There is nothing to prevent many of these countries from using American weaponry to suppress democracy or violate human rights within their borders. And let us not forget United States military engagements in Iraq, Panama, and elsewhere where our own troops have been threatened by opposing armies armed with American-made weapons. We should not stand for a policy that sacrifices the lives of our own soldiers for the sake of making a buck.

Congresswoman CYNTHIA MCKINNEY has been a tireless advocate for creating a code of conduct for arms manufacturers which would end this senseless and dangerous practice. The code of conduct would not outlaw arms sales, but require that arms exports be made only to those nations that are democratic and respect the human rights of their own people. Weapons sales to any other countries would require approval by the President and Congress.

Let us stop putting the lives of innocent people at risk. I urge my colleagues to support creating a code of conduct for U.S. arms sales.

Mr. ENGEL. Mr. Chairman, I rise to express support for the amendment offered by my

good friend from Georgia, Ms. MCKINNEY. This fine amendment prohibits arms transfers to foreign governments that are undemocratic, do not protect human rights, or are engaged in acts of aggression.

We must all recognize that as the leader of the free world, our country must set the standard in the effort to prevent the sale of arms to dictators. Unfortunately, our Government still provides its materiel to some of the world's most autocratic governments. In fact, in several recent conflicts where large numbers of American troops have served, including Somalia and Panama, we have opposed soldiers armed with weapons supplied by the United States. It's time we learned from these mistakes.

Mr. Chairman, I commend the gentlewoman from Georgia for her leadership on this issue and urge my colleagues to vote in favor of the code of conduct amendment.

Ms. HARMAN. Mr. Chairman, I rise today in opposition to the Rohrabacher amendment to H.R. 1757, the Foreign Relations Authorization Act, which would deny United States foreign assistance to Russia to prevent the transfer of missile technology to China and Iran.

While I am a strong supporter of non-proliferation measures, and measures to increase stability in the Asia-Pacific region, I firmly believe this amendment would have exactly the opposite effect of what it intends: it would, in fact, encourage the illegal transfer of technology by Russia.

The primary reason for the transfer of such technology in cash-strapped Russia is to obtain hard currency. To deny United States aid would make Russia's dire economic circumstances worse. The inevitable response by desperate business interests will be to seek even more illicit trade.

We are all aware of allegations that have recently surfaced regarding Russian technological assistance to rogue nations that would enable them to build advanced missiles capable of targeting our friends and allies.

These allegations must be taken seriously, by the administration and Congress. I have written to and called our National Security Adviser, Sandy Berger, on several occasions and he has arranged several excellent briefings for Members. He has also assured me that President Clinton took up these issues with President Yeltsin at the May 27 Paris summit, follow-up continues, and further efforts will be made at the highest levels later this summer.

Mr. Chairman, this amendment is well intended but misses the mark. We must provide appropriate aid to Russia to help it monitor proliferation, and to rebuild its economy so the impulse for illicit proliferation is reduced.

In this case, less is less. Less aid means less control and less security. I urge my colleagues to vote "no."

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Georgia [Ms. MCKINNEY].

The amendment was agreed to.

The CHAIRMAN pro tempore. Are there other amendments?

AMENDMENT OFFERED BY MR. ROHRBACHER

Mr. ROHRBACHER. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. Is the amendment one of those specifically listed in the order of the House of June 5, 1997?

Mr. ROHRBACHER. No, it is not, Mr. Chairman.

The CHAIRMAN pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. ROHRBACHER:

At the end of the bill add the following (and conform the table of contents accordingly):

DIVISION C—MISCELLANEOUS PROVISIONS

SEC. 2001. ASSISTANCE FOR THE RUSSIAN FEDERATION.

None of the funds made available to carry out chapter 11 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2295 et seq.) for fiscal years, 1998 and 1999 may be made available for the Russian Federation if the Russian Federation, on or after the date of the enactment of this Act, transfers an SS-N-22 missile system to the People's Republic of China.

□ 1800

The CHAIRMAN pro tempore (Mr. EWING). Pursuant to the order of House of June 5, 1997, the gentleman from California [Mr. ROHRBACHER] and a Member opposed, the gentleman from Florida [Mr. WEXLER] each will control 5 minutes.

The Chair recognizes the gentleman from California [Mr. ROHRBACHER].

Mr. ROHRBACHER. Mr. Chairman, I yield myself such time as I may consume. Again I would like to offer my congratulations to the gentlewoman from Georgia [Ms. MCKINNEY] for the great job that she did in providing this code of conduct legislation. Again, I was very proud to stand by her and work with her in that effort.

On this particular amendment, it has something to do with a different part of the world in terms of setting standards just for the United States. This particular amendment that I am offering would deny all \$95 million in U.S. foreign assistance funding to Russia during fiscal years 1998 and 1999 if the Russian Federation transfers super-sonic SSN-22 missiles to China.

This advanced cruise missile system endangers the lives of countless American service men and women and could alter the balance of power in key strategic areas such as the Straits of Taiwan and the Persian Gulf. This sunburn missile was created by the Russians to attack American ships, especially American ships that are equipped with advanced Aegis sea and air radar battle management systems. The SSN-22, a supersonic sea skimmer missile, can be fired by a ship or from land and it is extremely difficult to defend against. A long-range version of that missile can damage an aircraft carrier.

In December 1996 a secret weapon sale agreement was completed in Moscow during the state visit of the Chinese premier. The Chinese began seeking to acquire this missile in direct response to the deployment of U.S. warships in the Straits of Taiwan during China's attempt to militarily intimidate Taiwan during its national elections.

The immediate impact of the transfer of SSN-22 missiles will give the Chi-

nese significant offensive advantages over regional navies and further their ambitions in the South China Sea and other areas of the Pacific. A serious long-term effect is the Chinese ability to reverse engineer the SSN-22 technology, thus to develop lethal parity with the United States Navy.

Another immediate grave threat is the potential transfer of SSN-22's from China to Iran. China has become the primary arms source for the Iranians, to include the shipments of ballistic missiles and chemical weapons technologies. An SSN-22 mounted on a mobile land platform would be extremely difficult to defend against and would threaten any of the ships in the Straits of Hormuz.

The Government of Russia has gone beyond the threshold of acceptability in its conduct by offering to sell this deadly missile to China. My amendment will send a strong message that in return for the generosity shown by American taxpayers to assist Russia during this time of need, the Russian Government must respect the national security of the United States and the lives of our young men and women in uniform.

Let me be very clear on this, Mr. Chairman. This missile was designed by Russia during the cold war to kill American sailors and American airmen. This missile, if it is transferred to the Chinese, will lead at least to the situation where our people are being put in jeopardy. If we are giving \$95 million in aid to Russia while they are sending that type of weapons system to a potential enemy, we are making a mistake. Shame on us. Not shame on them.

My amendment simply says, unless they cease and desist from the transfer of this deadly weapons system to the Chinese, they have gone over the threshold of acceptability and we will be cutting off all of our aid to the former Soviet Union, to Russia.

Mr. Chairman, I reserve the balance of my time.

Mr. WEXLER. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from New York [Mr. GILMAN], chairman of the Committee on International Relations.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise to reluctantly oppose the Rohrabacher amendment. The gentleman is someone I admire on the committee and has done much good. I will note that when we considered this amendment in committee, the gentleman from Illinois [Mr. HYDE] offered a perfecting amendment allowing the President to waive this restriction if he found it to be in the national security interest of our Nation.

U.S. assistance programs in Russia are key to United States security. We won the cold war and now it is time to lock in our win to make certain Russia

never is such a major threat to the United States.

If the gentleman from California [Mr. ROHRABACHER] would include a Hyde national security waiver, I would not oppose this amendment. However, without a Hyde security waiver, I reluctantly have to oppose the amendment. I am concerned about weapons to China, but this hurts our key interests in Russia without ensuring the end of missile transfers.

Mr. WEXLER. Mr. Chairman, I yield myself such time as I may consume, and I rise in opposition to this amendment.

Mr. Chairman, the purpose of this amendment is certainly meritorious. Nobody wants Russia to transfer anti-ship cruise missiles to China. That is for certain. But this amendment would also cut off all assistance to Russia if those arms transfers in fact take place. There is always a question of balance. We provide assistance to Russia because it is in the national security interest of the United States to promote economic reform, promote democracy and help prevent future Chernobyls.

The gentleman from Illinois [Mr. HYDE], as the gentleman from New York [Mr. GILMAN] stated earlier, made these points eloquently during our committee markup of the bill. The gentleman from Illinois [Mr. HYDE] offered a waiver to the Rohrabacher amendment to allow the President to make a judgment whether continuing assistance to Russia was in the national security interest of the United States. The Hyde position prevailed. The committee bill included an amendment with the waiver.

There is no such waiver in this amendment before us now. The amendment gives the President absolutely no flexibility and raises one issue above every other priority in United States-Russian relationships. The amendment distorts United States policy toward Russia, and in fact what it is saying is there would be absolutely no circumstance in which there would be a valid security interest of the United States to provide aid for Russia once the transfer of such an antiship cruise missile was made. I do not believe that that is a plausible policy for the United States. This is a veto item for the President, and I strongly urge defeat of the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. ROHRABACHER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I am afraid I am going to have to reject the idea of putting a waiver into this bill. The bottom line is when we put waivers into these bills, what we do is we are really making them into a sense-of-the-Congress resolution and not changing a darned thing. If we are here to do anything, let us change some things. Let us get down to some real policy decisions and assert the fact that the Congress of the United States should be here protecting the interests of the people of the United

States. The McKinney amendment had some real teeth in it and meant something about human rights and democracy. This amendment has something to do really with the security interest of the United States. What we are saying is that there is a threshold over which the Russians have passed, over that threshold that we can no longer tolerate and continue to give them millions upon millions, \$95 million in aid to the Russians. It is unacceptable if we are going to give them that kind of aid for them to transfer weapons that are aimed at murdering, at killing American soldiers and American sailors.

This amendment would basically prevent us from subsidizing people who are then turning around and giving this horrible weapons system to potential enemies of the United States and perhaps costing the lives of American sailors.

Please vote for the Rohrabacher amendment for the long-term interests of peace and of the interests of the Russians as well.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California [Mr. ROHRABACHER].

The question was taken; and the Chairman pro tempore announced that the yeas appeared to have it.

Mr. ROHRABACHER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to House Resolution 159, further proceedings on the amendment offered by the gentleman from California [Mr. ROHRABACHER] will be postponed.

AMENDMENT OFFERED BY MR. HALL OF OHIO

Mr. HALL of Ohio. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. Is the amendment one of those specifically listed in the order of the House of June 5, 1997?

Mr. HALL of Ohio. No, it is not, Mr. Chairman.

The CHAIRMAN pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. HALL of Ohio:

At the appropriate place add the following (and conform the table of contents accordingly):

SEC. . STATEMENT CONCERNING CONFLICT IN EAST TIMOR.

(a) FINDINGS.—The Congress finds the following:

(1) Indonesia invaded East Timor in 1975 and has since systematically oppressed the people of East Timor.

(2) Since 1975 one-third of the population of East Timor is estimated to have perished of starvation, war, and terror.

(3) Indonesia's invasion was condemned by the United Nations, as was its subsequent occupation of East Timor.

(4) On November 12, 1991, Indonesian troops opened fire on thousands of peaceful mourners and demonstrators at the Santa Cruz cemetery in Dili, the capital of East Timor, killing hundreds and wounding hundreds.

(5) Bishop Carlos Felipe Ximenes Belo has been the preeminent representative of the people of East Timor, and has at great risk to his own life fought for the human and

civil rights of the people of East Timor, while also being a steadfast advocate for nonviolence and dialogue between the people of East Timor and the Indonesian authorities.

(b) DECLARATION OF POLICY.—The Congress affirms its support for a just and peaceful solution to the conflict in East Timor.

Mr. HALL of Ohio (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The CHAIRMAN pro tempore. Pursuant to the order of the House of June 5, 1997, the gentleman from Ohio [Mr. HALL] and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio [Mr. HALL].

Mr. HALL of Ohio. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a sense of Congress. It is relative to making a statement concerning the conflict in East Timor. Basically what I am saying is the Congress affirms its support for a just and peaceful solution to the conflict in East Timor.

What happened in 1975 when the country of Portugal pulled out of East Timor, the Indonesian Government came into this small island country and systematically oppressed the people of East Timor to the point where they used to have 700,000 people in their population and a third of them, as estimated, have perished as a result of starvation, war and terror.

Indonesia's invasion was condemned by the United Nations, as was its subsequent occupation of East Timor. On November 12, 1991, Indonesian troops opened fire on thousands of peaceful mourners and demonstrators at Santa Cruz Cemetery in Dili, the capital of East Timor, killing and wounding hundreds.

Bishop Carlos Belo has been the preeminent representative of the people of East Timor and has at great risk to his own life fought for the human and civil rights of the people of East Timor while also being a steadfast advocate for nonviolence and dialog between the people of East Timor and the Indonesian authorities.

The gentleman from Virginia [Mr. WOLF] and I were fortunate enough to nominate Bishop Belo for the Nobel Peace Prize. We were both in Norway this past November, and we were overjoyed and excited that East Timor got the notoriety that they deserve and the reputation that they deserve. The oppression that has gone on in that country has just been unbelievable over the years.

The language that I have in my resolution pretty much parallels what was said about Bishop Belo as he received the Nobel Peace Prize. This is a sense of Congress. It is my understanding that it has support of both sides. I would urge Members to support it.

Mr. Chairman, I reserve the balance of my time.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I rise in support of the amendment, and I ask unanimous consent to claim the 5 minutes in opposition.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. KENNEDY of Rhode Island. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to commend my good friend, the gentleman from Ohio [Mr. HALL] for this amendment. I think once again it underscores this body's concern about the actions of the Indonesian Government with respect to the people of East Timor, the horrendous brutality that has taken place there ever since Indonesia invaded and occupied the small island of East Timor.

I think once again the gentleman is communicating the sentiment of this Congress with respect to that troubled part of the world and the fact that we are in solidarity with the Nobel Peace Prize winners, Bishop Belo from East Timor and Jose Ramos Horta, both of whom have received the Nobel Peace Prize for their advocacy on behalf of those troubled people in East Timor who have been struggling for human rights, and those human rights have been systematically neglected and abused by the Indonesian Government. I think the gentleman from Ohio [Mr. HALL] should be commended for his longstanding commitment to this.

□ 1815

I just came to this Congress 3 years ago, Mr. Chairman, and I am joining the gentleman from Ohio [Mr. HALL] in his longstanding advocacy for the people of East Timor. Having visited there myself this past December, I was able to see firsthand what was going on on the ground, speak to the people there, and learn about the atrocities that have been contained within this amendment. Mr. Hall points out that on November 12, 1991, Indonesian troops opened fire on thousands of peaceful mourners and demonstrators at the Santa Cruz cemetery. I think the world watched in horror as film footage was smuggled out of Indonesia that depicted this horrible massacre at Santa Cruz where the Indonesian soldiers opened fire on the crowd there that was assembled, and this told the truth of what was happening in East Timor.

I salute Mr. HALL for once again reminding this Congress and Indonesia that we are not going to sit idly by and watch these human rights abuses continue, and that is why I rise in support of Mr. HALL'S amendment to this bill.

Mr. HALL of Ohio. Mr. Chairman, I want to thank the gentleman from Rhode Island [Mr. KENNEDY] for his very important not only speech, but what he has done relative to this whole

issue of East Timor. He is one of the few people, along with the gentleman from Virginia [Mr. WOLF], who has actually been to East Timor and seen with his own eyes the suffering and the oppression that is going on. He has been a real leader, a tremendous partner in this issue, and he has really made a difference.

Mr. Chairman, I yield 1 minute to the gentleman from Florida [Mr. WEXLER].

Mr. WEXLER. Mr. Chairman, I strongly support this amendment, and I commend the gentleman from Ohio [Mr. HALL] for his leadership in bringing it to our attention.

The situation in East Timor has been a festering sore for Indonesia, for United States-Indonesian relations and, most importantly, for the people of East Timor for more than two decades. This amendment puts the House of Representatives on record as supporting a just and peaceful solution to the conflict in East Timor. It deserves our support, and I urge my colleagues to vote for this amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Ohio [Mr. HALL].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. SANDERS

Mr. SANDERS. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. Is the amendment one of those specifically listed in the order of the House of June 5, 1997?

Mr. SANDERS. No, I do not think it is, Mr. Chairman.

The CHAIRMAN pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. SANDERS: After title XVII insert the following title:

TITLE XVIII—SENSE OF CONGRESS REGARDING THE IMPRISONMENT OF NGAWANG CHOEPHEL IN CHINA

SEC. 1801. SENSE OF CONGRESS REGARDING THE IMPRISONMENT OF NGAWANG CHOEPHEL IN CHINA

(a) FINDINGS.—The Congress makes the following findings:

(1) The Chinese Government sentenced Ngawang Choephel to an 18-year prison term plus 4 years subsequent deprivation of his political rights on December 26, 1996, following a secret trial.

(2) Mr. Choephel is a Tibetan national whose family fled Chinese oppression to live in exile in India in 1968.

(3) Mr. Choephel studied ethnomusicology at Middlebury College in Vermont as a Fulbright Scholar, and at the Tibetan Institute of Performing Arts in Dharamsala, India.

(4) Mr. Choephel returned to Tibet in July 1995 to prepare a documentary film about traditional Tibetan performing arts.

(5) Mr. Choephel was detained in August 1995 by the Chinese authorities and held incommunicado for over a year before the Government of the People's Republic of China admitted to holding him, and finally charged him with espionage in October 1996.

(6) There is no evidence that Mr. Choephel's activities in Tibet involved anything other than purely academic research.

(7) The Government of the People's Republic of China denies Tibetans their fundamen-

tal human rights, as reported in the State Department's Country Reports on Human Rights Practices, and by human rights organizations, including Amnesty International and Human Rights Watch, Asia.

(8) The Government of the People's Republic of China is responsible for the destruction of much of Tibetan civilization since its invasion of Tibet in 1949.

(9) The arrest of a Tibetan scholar such as Mr. Choephel, who worked to preserve Tibetan culture, reflects the systematic attempt by the Government of the People's Republic of China to repress cultural expression in Tibet.

(10) The Government of the People's Republic of China, through direct and indirect incentives, has established discriminatory development programs which have resulted in an overwhelming flow of Chinese immigrants into Tibet, including those areas incorporated into the Chinese provinces of Sichuan, Yunnan, Gansu, and Qinghai, and have excluded Tibetans from participation in important policy decisions, which further threatens traditional Tibetan life.

(11) The Government of the People's Republic of China withholds meaningful participation in the governance of Tibet from Tibetans and has failed to abide by its own constitutional guarantee of autonomy for Tibetans.

(12) The Dalai Lama of Tibet has stated his willingness to enter into negotiations with the Chinese and has repeatedly accepted the framework Deng Xiaoping proposed for such negotiations in 1979.

(13) The Chinese have displayed provocative disregard for the concerns of the United States by arresting and sentencing prominent dissidents in close proximity to visits to China by senior United States Government officials.

(14) The United States Government policy seeks to foster negotiations between the Government of the People's Republic of China and the Dalai Lama, and presses China to respect Tibet's unique religious, linguistic, and cultural traditions.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) Ngawang Choephel and other prisoners of conscience in Tibet, as well as in China, should be released immediately and unconditionally;

(2) to underscore the gravity of this matter, in all appropriate official meetings with representatives of the Government of the People's Republic of China, United States officials should request Mr. Choephel's immediate and unconditional release;

(3) the United States Government should sponsor and promote a resolution at future meetings of the United Nations Commission on Human Rights and other appropriate international fora regarding China and Tibet which specifically addresses political prisoners and negotiations with the Dalai Lama, until those situations in China and Tibet improve substantially;

(4) the United States Department of State should advise American citizens that Tibet is not currently a safe destination for American travelers;

(5) an exchange program should be established in honor of Ngawang Choephel, involving students of the Tibetan Institute of Performing Arts and appropriate educational institutions in the United States; and

(6) the United States Government should seek access for internationally recognized human rights groups to monitor human rights in Tibet.

Mr. SANDERS (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Vermont?

There was no objection.

The CHAIRMAN pro tempore. Pursuant to the order of the House of June 5, 1997, the gentleman from Vermont [Mr. SANDERS] and a Member opposed will each control 5 minutes.

The Chair recognizes the gentleman from Vermont [Mr. SANDERS].

Mr. SANDERS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, let me just speak very briefly about Ngawang Choephel.

Mr. Choephel is a Tibetan man who studied ethnomusicology at Middlebury College at Middlebury, VT, on a Fulbright scholarship in 1993, and I should tell my colleagues that when he was at Middlebury College he made a whole lot of friends, and a lot of folks in Middlebury and throughout the State of Vermont are very concerned about his fate. In the summer of 1995 he returned to Tibet to make a nonpolitical documentary film about traditional Tibetan music and dance because he was concerned that his cultural heritage was being forgotten. In the fall of 1995 he was arrested and held incommunicado in a Chinese prison for 1 year until he was accused of espionage last October and sentenced last December.

Mr. Chairman, Ngawang Choephel's only crime was to film dancers in Tibet, but the Chinese Government as part of its long-term campaign to stomp out all remnants of Tibetan cultural identity has accused Mr. Choephel of espionage and sentenced him to 18 years in prison for filming dance in Tibet, and followed by 7 years deprivation of political rights. This is the most severe sentence given a Tibetan in over 7 years.

Mr. Chairman, the State Department agrees that there is no known evidence Mr. Choephel committed any crime. This is simply one more example of an outrageous human rights abuse in China. According to the State Department's human rights country report on China and Tibet, the repression there is so severe that there are currently no active dissidents in all of China; they are all in prison.

Mr. Chairman, my amendment represents the response of the Congress to the situation. It is based on language which passed the Senate without dissent and which I introduced as House Concurrent Resolution 44 earlier this spring with the distinguished gentleman from New York [Mr. GILMAN] and the distinguished gentlewoman from California [Ms. PELOSI].

This resolution simply states that Ngawang Choephel and other prisoners of conscience in Tibet and China should be released immediately, but the United States should seek his release; that we should promote access to Tibet for international human rights groups; that the State Department should advise Americans that Tibet is not a safe destination for American travelers; and that we should continue to promote a

resolution at future meetings of the UN Commission on Human Rights addressing human rights in China and Tibet until the situation improves substantially.

This is a nonpartisan noncontroversial amendment, and I urge my colleagues to support it.

Mr. GILMAN. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from New York.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, I rise in strong support for the amendment offered by the gentleman from Vermont. All the world has come to expect and is not surprised when the rulers of China mercilessly persecute their own citizens. But the case of Mr. Choephel is different and could set a dangerous new trend if left unchecked by civilized nations.

Mr. Choephel is a refugee, was carried across the Tibetan Himalayas by his parents when he was only 2 years old, when they fled the Communist Chinese invasion of their country. He has been living in India since then, gone to study in the United States under a Fulbright Exchange Program established by the Congress to assist Tibetans and His Holiness, the Dalai Lama, to help protect Tibet's unique cultural heritage. He had gone back to Tibet to make a documentary film, to make a film about traditional Tibetan music and dance.

Mr. Choephel's arrest and imprisonment is a refugee nightmare. To return to his own country and to be arbitrarily imprisoned and cut off from the outside world is cruel and an abomination. His imprisonment sends democracies around the world the same type of message that the Chinese Government seeks when it charges parents for the price of a bullet used to execute their own son or daughter or when it appoints a religious leader that he knows the faithful would never follow. The rulers of Beijing apparently want the world to know that we ought to think twice when we assist those who struggle under their oppression.

I do not believe we should, and accordingly I support the gentleman's amendment, and I urge our colleagues to vote for the amendment.

Mr. BEREUTER. Mr. Chairman, will the gentleman yield?

Mr. SANDERS. I yield to the gentleman from Nebraska.

Mr. BEREUTER. Mr. Chairman, I want to commend the gentleman from Vermont on his amendment. I have spoken on this issue myself. There is no reason for this gentleman to be detained in any fashion that I can see, and I want to express my appreciation to the gentleman from Vermont [Mr. SANDERS] for his initiative, and I urge my colleagues to support it unanimously.

The CHAIRMAN pro tempore. The time of the gentleman from Vermont [Mr. SANDERS] has expired.

Mr. BEREUTER. Mr. Chairman, I ask unanimous consent to take 5 minutes, even though I am not in opposition to the amendment offered by the gentleman from Vermont [Mr. SANDERS].

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. WEXLER. Mr. Chairman, will the gentleman yield?

Mr. BEREUTER. I yield to the gentleman from Florida.

Mr. WEXLER. Mr. Chairman, I commend the gentleman from Vermont [Mr. SANDERS] for drawing attention to this human rights case. Mr. Choephel should be released immediately. That is the bottom line. I and others, I hope, will support the amendment.

Mr. ROHRABACHER. Mr. Chairman, will the gentleman yield?

Mr. BEREUTER. Mr. Chairman, I would ask the gentleman from Vermont if he has any more speakers?

Mr. SANDERS. I believe we do not, Mr. Chairman.

Mr. BEREUTER. Mr. Chairman, I yield to the gentleman from California [Mr. ROHRABACHER].

Mr. ROHRABACHER. Mr. Chairman, I would just like to congratulate my colleague from Vermont for offering this amendment.

As my colleagues know, it is how we react not only to statistics of tens of thousands and hundreds of thousands of people and even millions of people in China who are suffering the brutality of tyranny and oppression in that country but also how we treat the case of one individual, as we are today, that makes us different as Americans than other countries. We care about the individual, we care about people, and this message is going to be delivered by this amendment.

I am very proud to stand with my colleague on this, and I hope that the people at home who are listening to this debate on the foreign policy and foreign aid amendments and such will understand we have got some decisions to make about China. We have got to talk as a country about how we are going to confront this growing threat, the clouds that are massing just over the horizon.

The fact is that China and the United States could be at war within 10 years unless we do what is right, and what is right is not to cower. What will lead to a more peaceful world is not to gloss over human rights abuses, but instead to stand forward and step forward with a solid policy of freedom and human rights and let the people of China know that we are on their side and that way encourage the development of democratic institutions, rather than continually backing down, making loud noises about human rights and then backing down.

I believe some of our businessmen, if the entire country of Tibet was incinerated by the Chinese, if the Muslims in the western provinces were all slaughtered, if all the Christians were

tortured in China, they would still be saying we must maintain the same policy with China because we have to have some influence on them.

We need to discuss this as a people, as a free people. We need to talk about the moral implications and decisions we are making, and in my opinion morality and practicality go together, and in the long run if we gloss over these moral issues and forget the individuals that are being tyrannized and going through this oppression, it will not work to the best interests of the United States of America.

So I am very grateful today to my colleague from Vermont [Mr. SANDERS] talking about an individual who deserves our attention, and let us pray that he is freed and the people of China, all of the people of China, are freed from their oppression.

Mr. BEREUTER. Mr. Chairman, I thank the gentleman for his statement. I urge support for this amendment.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Vermont [Mr. SANDERS].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FOX OF PENNSYLVANIA

Mr. FOX of Pennsylvania. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FOX of Pennsylvania:

At the end of the bill, add the following:

SEC. . DESIGNATION OF ROMANIA AS ELIGIBLE FOR ASSISTANCE UNDER NATO PARTICIPATION ACT OF 1994.—

(1) SENSE OF THE CONGRESS.—It is the sense of the Congress that—

(A) Romania has made tremendous progress toward meeting the criteria for accession into the North Atlantic Treaty Organization (NATO) by establishing a mature and functioning democracy, a free market economy, civilian control of the armed forces, respect for the rule of law, respect for human rights and civil liberties, and by implementing a strong economic reform;

(B) Romania has further exhibited its strong commitment to contribute to the stability, reconciliation, and cooperation among the nations of the region by the very significant signing of the basic political bilateral Treaty with Hungary and recent initialing of a similar document with Ukraine;

(C) Romania has already demonstrated its willingness and ability to contribute as a future NATO ally to strengthening the military capabilities and strategic cohesiveness of the Alliance by joining, first among Central and Eastern European countries, the Partnership for Peace Program and by actively participating alongside NATO allies in Bosnia, Angola, Somalia, and Albania;

(D) due to its size, geo-strategic location, economic and military potential, and huge popular support for NATO integration, Romania is of immense and key strategic importance to European stability; and

(E) Romania qualifies under section 203 of the NATO Participation Act of 1994 to receive assistance in making the transition to a full NATO membership and should be invited to start accession negotiations at the earliest stage.

(2) DESIGNATION.—Not later than 180 days after the date of the enactment of this Act,

the President shall, pursuant to section 203(d)(2) of the NATO Participation Act of 1994, designate Romania as eligible to receive assistance under the program established under section 203(a) of such Act.

Mr. FOX of Pennsylvania (during the reading). Mr. Chairman, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The CHAIRMAN pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIRMAN pro tempore. Pursuant to the order of the House of June 5, 1997, the gentleman from Pennsylvania [Mr. FOX] and a Member opposed each will control 5 minutes.

Mr. FOX of Pennsylvania. Mr. Chairman, I yield myself such time as I may consume, and I will be exceedingly brief.

Mr. Chairman, I rise to speak in support of this amendment.

Romania is a functioning democracy, and just back in November 1996 we saw where they had the free and fair Presidential elections held for the third time. We also note with great distinction that Romania has had a free market economy, that its foreign investment is protected by Romanian legislation, that Romania has good relations with its neighbors; further, that Romania has effective control over its military under civilian control. Romania further has a high level of cooperation with NATO, and more important than that point, it has a capacity to deal with security threats in fighting against organized crime, terrorism and drug traffic.

It is for these reasons that I ask the body to support this amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey [Mr. SMITH].

Mr. SMITH of New Jersey. Mr. Chairman, I thank my friend, the gentleman from Pennsylvania, for yielding this time to me, and I rise in very strong support of the Fox amendment.

Romania's quest for NATO membership was given a significant boost when the democratic opposition, led by Emil Constantinescu, was elected to office last November.

□ 1830

The peaceful transfer of power following those internationally sanctioned elections was a genuine turning point for that country, a political development unimaginable not very long ago.

At home, the Romanian Government recently announced a bold package of economic reforms designed to check inflation, reduce the budget deficit, and accelerate privatization. If implemented, these important changes could attract much-needed foreign investment.

An anti-corruption campaign has also been initiated. A series of military reforms were adopted in December to ensure civilian democratic control and

modernization of Romania's armed forces. While each of these initiatives will require months to realize, the new Romanian leadership has begun to show its courage in taking these important steps.

The first Central European country to join the Partnership for Peace and one of the most active participants, Romania has taken concrete steps to advance its candidacy for possible NATO membership. Of a particularly important note is the historic Treaty of Understanding, Cooperation and Good Neighborliness concluded with Hungary last September. Romanian troops played an active role in the NATO-led Operation Joint Endeavor, part of IFOR in Bosnia, and has continued to contribute to peacekeeping efforts through its participation in Operation Joint Guard.

These developments underscore the positive role Romania can play in fostering stability in NATO's southern flank. Romania's desire to join NATO was clear through its active participation with its Partnership for Peace as well as the ongoing intensified dialogue with the Alliance since April of 1996.

Mr. Chairman, again I want to thank my good friend for offering this amendment. It puts us squarely in line.

Let me just say finally as a footnote, the gentleman from Virginia [Mr. WOLF] and I and others, going back to the 1980's, led the effort to remove the MFN during the Ceausescu regime, they have absolutely turned the corner, and I think with confidence we can say they will be a good partner as part of NATO.

Mr. Chairman, I submit the following letter for inclusion in the RECORD.

COMMISSION ON SECURITY
AND COOPERATION IN EUROPE
Washington, DC, May 21, 1997.

Hon. WILLIAM J. CLINTON,
The White House, Washington, DC.

DEAR MR. PRESIDENT: We urge that the United States actively support the inclusion of Romania among the countries which will be invited by the North Atlantic Treaty Organization (NATO) to begin negotiations for accession to the Alliance. The NATO summit meeting scheduled to be held in Madrid, Spain, on July 8 and 9, 1997, will formally invite some candidate states to commence such negotiations. We believe that Romania deserves to be invited to accede to the Washington Treaty because of both its recent progress in meeting the criteria for membership and its strategic location along NATO's future southeastern edge.

While NATO accession should not be extended to states that do not meet the criteria set forth in the NATO Enlargement Facilitation Act of 1996 (P.L. 104-208), we believe that Romania has demonstrated great progress in all areas and should be favorably considered for inclusion in the first round of enlargement. At a hearing of the Commission on Tuesday, May 13, 1997, we heard testimony from Romania's Ambassador to the United States, His Excellency Mircea Dan Geoana, on the wide range of concerns the Commission and the Congress have had with Romania in recent years. We believe that the evidence supports Romania's claim to meet the criteria for membership, especially in the areas of human rights, national minorities, and freedom of expression and media issues that have been troublesome in the past

and were particular subjects of Commission interest.

In light of the rapid approach of the Madrid summit, and the intensive schedule of high-level NATO meetings leading up to that summit, we believe the United States should promptly and publicly clarify its position regarding the NATO process for accession by all states which meet the criteria. An announcement of U.S. support for such a process would lessen diplomatic and media speculation about a possible delay in the invitation for negotiation, supposedly to make more credible a subsequent round of enlargement. We believe all currently qualified states should be invited now to negotiate for accession, and as other states meet the criteria, the process whereby they, too, may be invited to join the alliance should be clearly formulated. This is the only fair way to manage Alliance enlargement and protect important reform efforts underway in those candidate states not included in the first group to be announced at Madrid.

We appreciate your kind attention to our views on this most important matter.

Sincerely,

CHRISTOPHER H. SMITH,
M.C.,
Co-Chairman.
ALFONSE D'AMATO, U.S.S.,
Chairman.

Mr. FOX of Pennsylvania. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. SOLOMON].

(Mr. SOLOMON asked and was given permission to revise and extend his remarks.)

Mr. SOLOMON. Mr. Chairman, I rise in favor of the gentleman's amendment, and admission of Romania into NATO. It is a great country.

I rise in strong support of the amendment that would support the entry of the country of Romania into the NATO alliance in the first move.

Romania has, without question moved towards irresistible democracy, a free market economy, respect for human rights and the rule of law, and are making great strides in their ability to communicate and interoperate militarily with our NATO forces.

Without question they are qualified and should be admitted to NATO at the earliest convenience.

Mr. FOX of Pennsylvania. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. GILMAN], the chairman of the committee.

(Mr. GILMAN asked and was given permission to revise and extend his remarks.)

Mr. GILMAN. Mr. Chairman, I rise in support of the amendment. The key message of this amendment, the European Security Act we will be considering, is that the door to membership at NATO should remain open and include Romania.

Mr. BEREUTER. Mr. Chairman, I ask unanimous consent, notwithstanding my failure to oppose, that I may claim the 5 minutes in opposition.

The CHAIRMAN pro tempore (Mr. EWING). Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. BEREUTER. Mr. Chairman, I yield myself such time as I may

consume. Mr. Chairman, notwithstanding the fact that I do not oppose, I would say to the gentleman, the gentleman from New York and I, along with nine of our colleagues, recently led a delegation before we went to the North Atlantic Assembly, to Slovenia, and all of us came back I think very much impressed with the tremendous progress they have made in democratization and in their economic reforms and in their ability to pay for modernization to meet the NATO requirements.

We felt, in fact, they were well-qualified to be taken in as a member of NATO in the first round, and we made that recommendation to the Secretary of State, and I know I personally made it to the Secretary of Defense, and I think some of my colleagues have as well.

This matter of Romania is certainly not one that I oppose. I thank the gentleman for his initiative. I just want to make sure that nothing being said here suggests that we have any less respect or support for Slovenia as a first-round entry.

Mr. SOLOMON. Mr. Chairman, will the gentleman yield?

Mr. BEREUTER. I yield to the gentleman from New York.

Mr. SOLOMON. Mr. Chairman, I appreciate the gentleman yielding.

As the gentleman knows, we were in Slovenia and they have also made great progress toward the irreversible democracy, toward a free-market economy, as has Romania. I just wanted to call to the attention of the Members that Romania in particular is one country that has appreciated the support of the United States of America. In doing so, I want my colleagues to know, on both sides of the aisle, they are buying American. In other words, if they and other countries become a part of NATO, member of NATO, they have to be able to communicate and interoperate militarily with the NATO defense organization, and in doing so, they are buying American military equipment that is terribly important if the taxpayers are going to support the expansion of NATO, that these countries, these prospective countries, turn around and then buy American.

Mr. BEREUTER. Mr. Chairman, reclaiming my time, I am proud to mention that my colleague from New York has emphasized this point, the importance of buying American equipment, because it is interoperable in NATO forces and because it is important to our economy.

So taking nothing away from Romania's case, because military-to-military cooperation with Romania and the United States could not be better, and certainly no country has pressed harder for first-round membership than Romania, I did want to make sure that by our action today we say nothing negative about Slovenia's case, and I thank the gentleman for his initiative.

Mr. FOX of Pennsylvania. Mr. Chairman, will the gentleman yield?

Mr. BEREUTER. I yield to the gentleman from Pennsylvania.

Mr. FOX of Pennsylvania. Mr. Chairman, I would agree with the gentleman from Nebraska [Mr. BEREUTER] that this in no way diminishes our support for Slovenia, and we appreciate the gentleman's support as well for Romania, and the support of the gentleman from New York [Mr. GILMAN], our chairman.

Mr. BEREUTER. Mr. Chairman, I yield back the balance of my time.

Mr. LEVIN. Mr. Chairman, I rise in strong support of the Fox amendment regarding to Ukraine and adopted by the House.

Since its independence in 1991, Ukraine has made some significant progress in advancing both democracy and stability in the region. It has held free and fair elections without violence for both Parliament and the President, adopted a new democratic constitution, and made significant strides toward reorganizing its economy from command-and-control to market-driven.

Under the reform plan and the leadership of President Kuchma, Ukraine has tackled its runaway inflation, which has dropped from an overwhelming level of 10,000 percent in 1993 to 181 percent in 1995 to 3.5 percent for the first quarter of this year. In addition, privatization efforts have begun to move at an accelerated rate.

Ukraine has also made significant contributions to the future peace and stability of Eastern and Central Europe. First and foremost, Ukraine lived up to its agreement to completely dismantle its entire nuclear arsenal which it inherited from the former Soviet Union and has signed the Nuclear Non-Proliferation Treaty. Ukraine is also in full compliance with the Conventional Forces in Europe Agreement, is an active participant in NATO's Partnership for Peace Program, and has given its full support for the soon to be announced expansion of the NATO alliance. Ukraine has also agreed not to participate in any program to help build a nuclear powerplant in Iran.

These achievements deserve acknowledgment and appreciation from this body. Instead of facing a potentially hostile and nuclear armed country situated on the edge of Europe, the United States benefits from cooperative arrangement with an emerging democracy.

There remain, of course, serious challenges and problems. I am disturbed by press reports in recent months of widespread government corruption and informal barriers to U.S. investment. These are allegations that warrant careful and deliberate consideration.

The answer to these concerns is not to sever relations and threaten to cut off aid as some have proposed. Such proposals run counter to our national and strategic interests in this region and would leave us without leverage to encourage change with Ukraine.

Ukraine is beginning to take some steps to solve these problems. We must encourage this process. President Kuchma has formed an international advisory committee on investment made up of Ukrainians of unquestioned reputation and corporate leaders from around the world. He has established a commission that will work directly out of his office to investigate and prosecute reported corruption. In addition, President Kuchma has removed several Ministers for questionable actions while putting others on notice that he will not accept this behavior.

President Clinton and the administration have indicated their concern over the issue of corruption and clearly communicated that progress needs to be swift. These concerns are clearly laid out in a joint statement from the United States-Ukraine Binational Commission.

Mr. Chairman, with the facts in mind, I urge my colleagues to vote "yes" on the Fox amendment and commend Ukraine for its contributions to Europe. As President Clinton said at the close of the first session of the United States-Ukraine Binational Commission.

The United States values its partnership with Ukraine and believes that we cannot have a successful, undivided, democratic Europe, without a successful, democratic, progressive Ukraine.

The CHAIRMAN pro tempore. All time has expired.

The question is on the amendment offered by the gentleman from Pennsylvania [Mr. FOX].

The amendment was agreed to.

Mr. BERMAN. Mr. Chairman, my amendment authorizes U.S. citizen employees to adjudicate nationality abroad and to adjudicate immigrant and nonimmigrant visas. The amendment requires that these U.S. citizen employees: First, successfully complete a program of training essentially equivalent to the training that a consular officer who is a member of the Foreign Service would receive; and second, be certified by an appropriate State Department official to be qualified to perform consular functions.

I am concerned that the amendment may be interpreted to allow students, interns, part-time employees, or short-term contract employees to handle the important function of adjudicating nationality and immigrant and nonimmigrant visas. Because of the steady increase in visa and document fraud, the security of these functions requires that they be performed by a specialized corps of professional, full-time, experienced U.S. citizen employees.

Due to security and fraud issues, the amendment should not be interpreted to mean that students, interns, part-time employees, or short-term employees—with the exception of retired Foreign Service Officers returning to perform consular services or the spouses of Foreign Service Officers being hired to perform consular services—may adjudicate nationality, immigrant, and nonimmigrant visa, and other consular functions. It is my understanding that Mr. SMITH of Texas agrees with this statement.

Mr. LEVIN. Mr. Chairman, I rise in support of the Engel amendment on Albania. Albania suffered greatly under the misguided rule of its previous Government and needs international support to get back on the path to democracy.

Albania endured many harsh years of totalitarian rule and isolation. It was the last country in Eastern Europe to throw off the yoke of communism and open its borders to the world. It still struggles today.

Albania is the poorest nation in Europe. Matters worsened when high-risk pyramid investment schemes collapsed, robbing tens of thousands of Albanians of their life savings. The result has been mass chaos and anarchy. The Government fell and demonstrations and unrest turned to open rebellion.

Today, the rebellion has been quieted by an international peacekeeping force deployed by

the United Nations. A coalition government that includes elements from both the former government and its opposition has been formed to get the country back on track. This new government has promised to hold elections for President and Parliament at the end of this month.

The international community, spearheaded by the Red Cross, has committed humanitarian aid to help Albanians get back on their feet and get on with their lives.

The Engel amendment directs the United States to encourage and support the new unity government and urge it to guarantee human rights and free and fair elections. In addition, the amendment commends the U.S. military and diplomatic personnel who evacuated U.S. citizens from the country during violent uproar. Finally, the amendment commends our negotiators.

Mr. Speaker, I support the Engel amendment because restoring stability to Albania is vital to our national interests in this region. We cannot allow chaos and unrest to overtake Albania again because it would have a devastating effect on the already delicate situation in this turbulent corner of the world.

Mr. GILMAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PEASE), having assumed the chair, Mr. EWING, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1757), to consolidate international affairs agencies, to authorize appropriations for the Department of State and related agencies for fiscal years 1998 and 1999, and for other purposes, had come to no resolution thereon.

LIMITATION ON FURTHER AMENDMENTS TO H.R. 1757, FOREIGN RELATIONS AUTHORIZATION ACT, FISCAL YEARS 1998 AND 1999

Mr. GILMAN. Mr. Speaker, I ask unanimous consent that during further consideration of H.R. 1757 in the Committee of the Whole, pursuant to House Resolution 159, no further amendments to the bill shall be in order except:

First, amendments en bloc offered by the Chairman of the Committee on International Relations pursuant to the order of the House of June 5, 1997; and, second, the following amendment which shall be debatable under the 5-minute rule: Amendment by the gentleman from South Carolina [Mr. SANFORD] regarding authorization levels.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

Mr. HAMILTON. Mr. Speaker, reserving the right to object, I do not intend to object, but let me just ask a question or two for clarification.

There will be under this unanimous consent request only two amendments permitted?

Mr. GILMAN. Mr. Speaker, will the gentleman yield?

Mr. HAMILTON. I yield to the gentleman from New York.

Mr. GILMAN. Mr. Speaker, that is correct.

Mr. HAMILTON. Mr. Speaker, one of those amendments would be the en bloc offered by the gentleman as the chairman of the committee, and that is pursuant to the order of the House of June 5, 1997. That means that would be done with the concurrence of the ranking minority member?

Mr. GILMAN. Mr. Speaker, that is correct.

Mr. HAMILTON. And then the second amendment that would be permitted under the 5-minute rule without restriction on time would be the amendment of the gentleman from South Carolina [Mr. SANFORD] with respect to authorization levels?

Mr. GILMAN. Mr. Speaker, that is correct.

Mr. HAMILTON. And no other amendments will be offered?

Mr. GILMAN. And no other amendments, and we hope to be finished early tomorrow morning.

Mr. HAMILTON. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 5, rule I, the Chair will now put the question on the motion to suspend the rules on which further proceedings were postponed earlier today.

RELATING TO THE 30TH ANNIVERSARY OF THE REUNIFICATION OF THE CITY OF JERUSALEM

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 60.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York [Mr. GILMAN] that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 60, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 406, nays 17, answered "present" 1, not 10, as follows:

[Roll No. 176]

YEAS—406

Abercrombie	Barrett (NE)	Bliley
Ackerman	Barrett (WI)	Blunt
Aderholt	Bartlett	Boehlert
Allen	Barton	Boehner
Andrews	Bass	Bonilla
Archer	Becerra	Bono
Armey	Bentsen	Borski
Bachus	Bereuter	Boswell
Baesler	Berman	Boucher
Baker	Berry	Boyd
Baldacci	Bilbray	Brady
Ballenger	Bilirakis	Brown (CA)
Barcia	Bishop	Brown (FL)
Barr	Blagojevich	Brown (OH)

Bryant	Goodling	McCrery
Bunning	Gordon	McDade
Burr	Goss	McGovern
Burton	Graham	McHale
Buyer	Granger	McHugh
Callahan	Green	McInnis
Calvert	Greenwood	McIntosh
Camp	Gutierrez	McIntyre
Campbell	Gutknecht	McKeon
Canady	Hall (OH)	McKinney
Cannon	Hall (TX)	McNulty
Capps	Hansen	Meenan
Cardin	Harman	Meek
Carson	Hastert	Menendez
Castle	Hastings (FL)	Menendez
Chabot	Hastings (WA)	Mica
Chambliss	Hayworth	Millender-
Chenoweth	Hefley	McDonald
Christensen	Hefner	Miller (CA)
Clay	Herger	Miller (FL)
Clement	Hill	Mink
Clyburn	Hilleary	Moakley
Coble	Hilliard	Mollohan
Coburn	Hinchey	Moran (KS)
Collins	Hinojosa	Morella
Combest	Hobson	Murtha
Condit	Hoekstra	Myrick
Cook	Holden	Nadler
Cooksey	Hooley	Neal
Costello	Horn	Nethercutt
Cox	Hostettler	Neumann
Coyne	Houghton	Ney
Cramer	Hoyer	Norwood
Crane	Hulshof	Nussle
Crapo	Hunter	Oberstar
Cubin	Hutchinson	Olver
Cummings	Hyde	Ortiz
Cunningham	Inglis	Owens
Danner	Istook	Oxley
Davis (FL)	Jackson (IL)	Packard
Davis (IL)	Jackson-Lee	Pallone
Davis (VA)	(TX)	Pappas
Deal	Jefferson	Parker
DeFazio	Jenkins	Pascarell
DeGette	John	Pastor
Delahunt	Johnson (CT)	Paxon
DeLauro	Johnson (WI)	Payne
DeLay	Johnson, E. B.	Pease
Deutsch	Johnson, Sam	Peterson (MN)
Diaz-Balart	Jones	Peterson (PA)
Dickey	Kanjorski	Pickering
Dicks	Kaptur	Pitts
Dixon	Kasich	Pombo
Doggett	Kelly	Pomeroy
Dooley	Kennedy (MA)	Porter
Doolittle	Kennedy (RI)	Portman
Doyle	Kennelly	Poshard
Dreier	Kildee	Price (NC)
Duncan	Kilpatrick	Pryce (OH)
Dunn	Kim	Quinn
Edwards	Kind (WI)	Radanovich
Ehlers	King (NY)	Ramstad
Ehrlich	Kingston	Rangel
Emerson	Klecza	Redmond
Engel	Klink	Regula
English	Klug	Reyes
Ensign	Knollenberg	Riggs
Eshoo	Kolbe	Riley
Etheridge	LaFalce	Rivers
Evans	LaHood	Rodriguez
Everett	Lampson	Roemer
Ewing	Lantos	Rogan
Fattah	Largent	Rogers
Fawell	Latham	Rohrabacher
Fazio	LaTourette	Ros-Lehtinen
Filner	Lazio	Rothman
Foglietta	Leach	Roukema
Foley	Levin	Roybal-Allard
Forbes	Lewis (CA)	Royce
Ford	Lewis (GA)	Rush
Fowler	Lewis (KY)	Ryun
Fox	Linder	Sabo
Frank (MA)	Lipinski	Salmon
Franks (NJ)	LoBiondo	Sanchez
Frelinghuysen	Lofgren	Sanders
Frost	Lowe	Sandlin
Furse	Lucas	Sanford
Gallegly	Luther	Sawyer
Ganske	Maloney (CT)	Saxton
Gejdenson	Maloney (NY)	Scarborough
Gekas	Manton	Schaefer, Dan
Gephardt	Manzullo	Schaffer, Bob
Gibbons	Markey	Scott
Gilchrest	Martinez	Sensenbrenner
Gillmor	Mascara	Serrano
Gilman	Matsui	Sessions
Gonzalez	McCarthy (MO)	Shadegg
Goode	McCarthy (NY)	Shaw
Goodlatte	McCollum	Shays

Sherman	Stenholm	Vento
Shimkus	Stokes	Visclosky
Shuster	Strickland	Walsh
Sisisky	Stump	Wamp
Skaggs	Stupak	Waters
Skeen	Talent	Watkins
Skelton	Tanner	Watts (OK)
Slaughter	Tauscher	Waxman
Smith (MI)	Tauzin	Weldon (FL)
Smith (NJ)	Taylor (MS)	Weldon (PA)
Smith (OR)	Taylor (NC)	Weller
Smith (TX)	Thomas	Wexler
Smith, Adam	Thompson	Weygand
Smith, Linda	Thornberry	White
Snowbarger	Thune	Whitfield
Snyder	Thurman	Wicker
Solomon	Tiahrt	Wise
Souder	Tierney	Wolf
Spence	Torres	Woolsey
Spratt	Towns	Wynn
Stabenow	Turner	Yates
Stark	Upton	Young (AK)
Stearns	Velazquez	Young (FL)

NAYS—17

Bonior	Kucinich	Petri
Clayton	McDermott	Rahall
Conyers	Minge	Sununu
Dellums	Moran (VA)	Traficant
Dingell	Obey	Watt (NC)
Hamilton	Paul	

ANSWERED "PRESENT"—1

Bateman

NOT VOTING—10

Blumenauer	Molinari	Schiff
Farr	Northup	Schumer
Flake	Pelosi	
Livingston	Pickett	

□ 1900

Mr. WATT of North Carolina and Mr. MINGE changed their vote from "yea" to "nay."

Mr. DICKEY and Mr. CONDIT changed their vote from "nay" to "yea."

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. NORTHUP. Mr. Speaker, on rollcall No. 176, my pager malfunctioned and therefore did not alert me of the pending vote. Had I been present, I would have voted "yes."

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF HOUSE JOINT RESOLUTION 54, PROHIBITING THE PHYSICAL DESECRATION OF THE FLAG OF THE UNITED STATES

Mr. GOSS, from the Committee on Rules, submitted a privileged report (Rept. No. 105-126) on the resolution (H. Res. 163) providing for consideration of the joint resolution (H. J. Res. 54) proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 437, NATIONAL SEA GRANT COLLEGE PROGRAM REAUTHORIZATION ACT OF 1997

Mr. GOSS, from the Committee on Rules, submitted a privileged resolution (Rept. No. 105-127) on the resolution (H. Res. 164) providing for consideration of the bill (H.R. 437) to reauthorize the National Sea Grant College Program Act, and for other purposes, which was referred to the House Calendar and ordered to be printed.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. PEASE) laid before the House the following communication from the Clerk of the House of Representatives:

U.S. HOUSE OF REPRESENTATIVES,
OFFICE OF THE CLERK,
Washington, DC, June 9, 1997.

Hon. NEWT GINGRICH,
The Speaker, U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on June 9, 1997 at 2:34 p.m. and said to contain a message from the President whereby he returns without his approval, H.R. 1469, the "1997 Emergency Supplemental Appropriations Act."

With warm regards,

ROBIN H. CARLE,
Clerk, U.S. House of Representatives.

1997 EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR RECOVERY FROM NATURAL DISASTERS, AND FOR OVERSEAS PEACEKEEPING EFFORTS, INCLUDING THOSE IN BOSNIA—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 105-96)

The SPEAKER pro tempore laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I am returning herewith without my approval H.R. 1469, the "Supplemental Appropriations and Rescissions Act, FY 1997." The congressional majority—despite the obvious and urgent need to speed critical relief to people in the Dakotas, Minnesota, California, and 29 other States ravaged by flooding and other natural disasters—has chosen to weigh down this legislation with a series of unacceptable provisions that it knows will draw my veto. The time has come to stop playing politics with the lives of Americans in need and to send me a clean, unencumbered disaster relief bill that I can and will sign the moment it reaches my desk.

On March 19, 1997, I sent the Congress a request for emergency disaster assistance and urged the Congress to approve it promptly. Both the House and Senate Appropriations Committees acted

expeditiously to approve the legislation. The core of this bill, appropriately, provides \$5.8 billion of much-needed help to people in hard-hit States and, in addition, contains \$1.8 billion for the Department of Defense related to our peacekeeping efforts in Bosnia and Southwest Asia. Regrettably, the Republican leadership chose to include contentious issues totally unrelated to disaster assistance, needlessly delaying essential relief.

The bill contains a provision that would create an automatic continuing resolution for all of fiscal year 1998. While the goal of ensuring that the Government does not shut down again is a worthy one, this provision is ill-advised. The issue here is not about shutting down the Government. Last month, I reached agreement with the Bipartisan Leadership of Congress on a plan to balance the budget by 2002. That agreement is the right way to finish the job of putting our fiscal house in order, consistent with our values and principles. Putting the Government's finances on automatic pilot is not.

The backbone of the Bipartisan Budget Agreement is the plan to balance the budget while providing funds for critical investments in education, the environment, and other priorities. The automatic continuing resolution would provide resources for fiscal year 1998 that are \$18 billion below the level contained in the Bipartisan Budget Agreement, threatening such investments in our future. For example: college aid would be reduced by \$1.7 billion, eliminating nearly 375,000 students from the Pell Grant program; the number of women, infants, and children receiving food and other services through WIC would be cut by an average of 500,000 per month; up to 56,000 fewer children would participate in Head Start; the number of border patrol and FBI agents would be reduced, as would the number of air traffic controllers; and our goal of cleaning up 900 Superfund sites by the year 2000 could not be accomplished.

The bill also contains a provision that would permanently prohibit the Department of Commerce from using statistical sampling techniques in the 2000 decennial census for the purpose of apportioning Representatives in Congress among the States. Without sampling, the cost of the decennial census will increase as its accuracy, especially with regard to minorities and groups that are traditionally undercounted, decreases substantially. The National Academy of Sciences and other experts have recommended the use of statistical sampling for the 2000 decennial census.

The Department of Justice, under the Carter and Bush Administrations and during my Administration, has issued three opinions regarding the constitutionality and legality of sampling in the decennial census. All three opinions concluded that the Constitution and relevant statutes permit the use of

sampling in the decennial census. Federal courts that have addressed the issue have held that the Constitution and Federal statutes allow sampling.

The enrolled bill contains an objectionable provision that would promote the conversion of certain claimed rights-of-way into paved highways across sensitive national parks, public lands, and military installations. Under the provision, a 13-member commission would study the issue and provide recommendations to resolve outstanding Revised Statute (R.S.) 2477 claims. R.S. 2477 was enacted in 1866 to grant rights-of-way for the construction of highways over public lands not already reserved for public uses. It was repealed in 1976, subject to "valid, existing rights."

This provision in the enrolled bill is objectionable because it is cumbersome, flawed, and duplicates the extensive public hearings conducted by the Department of the Interior over the last 4 years. In addition, the proposed commission excludes the Secretary of Defense, but military installations are among the Federal properties that would be affected by the recommendations of the commission. Furthermore, there is no assurance that the proposed commission would provide a balanced representation of views or proper public participation. Under the provision, the Secretary of the Interior can disapprove the commission's recommendations, preventing their submission to the Congress under "fast-track" procedures in the House and Senate. I believe—and my Administration has stated—that a better approach would be for Interior to submit a legislative proposal to the Congress within 180 days to clarify R.S. 2477 claim issues permanently, with full congressional and public consideration.

The enrolled bill contains an objectionable provision that funds the Commission for the Advancement of Federal Law Enforcement. I agree with the Fraternal Order of Police and other national law enforcement organizations that certain activities of the Commission, such as evaluating the handling of specific investigative cases, could interfere with Federal law enforcement policy and operations. This type of oversight is most properly the role of Congress, not an unelected review board. If external views about law enforcement programs are needed, a better approach would be to fund the National Commission to Support Law Enforcement.

I also object to two other items in the bill. One reduces funding for the Ounce of Prevention Council by roughly one-third. This reduction would substantially diminish the work of the Council in coordinating crime prevention efforts at the Federal level and assisting community efforts to make their neighborhoods safer. The Council is in the process of awarding \$1.8 million for grants to prevent youth substance abuse and of evaluating its ex-

isting grant programs. The Council has received over 300 applications from communities and community-based organizations from all across the country for these grants. In addition, the bill reduces funding for the Department of Defense Dual-Use Applications Program. That program helps to develop technologies used and tested by the cost-conscious commercial sector and to incorporate them into military systems. Reducing funding for this program would result in higher costs for future defense systems. The projects selected in this year's competition will save the Department of Defense an estimated \$3 billion.

Finally, by including extraneous issues in this bill, the Republican leadership has also delayed necessary funding for maintaining military readiness. The Secretary of Defense has written the Congress detailing the potential disruption of military training.

I urge the Congress to remove these extraneous provisions and to send me a straightforward disaster relief bill that I can sign promptly, so that we can help hard-hit American families and businesses as they struggle to rebuild. Americans in need should not have to endure further delay.

WILLIAM J. CLINTON.

THE WHITE HOUSE, June 9, 1997.

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal, and the message and bill will be printed as a House document.

MOTION OFFERED BY MR. MCDADE

Mr. MCDADE. Mr. Speaker, I move that the message together with the accompanying bill be referred to the Committee on Appropriations.

The SPEAKER pro tempore. The gentleman from Pennsylvania [Mr. McDade] is recognized for 1 hour.

Mr. MCDADE. Mr. Speaker, by prior agreement with my distinguished friend, the gentleman from Wisconsin [Mr. OBEY], I yield 15 minutes to the gentleman from Wisconsin [Mr. OBEY], and I yield back 30 minutes of the 1 hour.

GENERAL LEAVE

Mr. MCDADE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the veto message of the President to the bill, H.R. 1469, and that I may include tabular material and extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. MCDADE. Mr. Speaker, I yield myself such time as I may consume.

The effort that we knowledge making tonight is an effort to speed to the disaster victims of the country as quickly as we can the assistance which they so direly need. All of us know that there has been a stalemate between the two bodies, between the White House and between the Congress, and this motion which refers this bill back to committee is the beginning of the process,

once again, to pass this bill, hopefully in a way that the President will sign it.

Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield myself 3 minutes and 30 seconds.

Mr. Speaker, 90 days ago the President sent the Congress an emergency message asking that we appropriate supplemental funds to help flood victims and to help meet the costs of our activities in Bosnia. Last week, instead of responding to that request, the Congress in essence decided to load up that proposal with a series of unrelated riders. One related to roads on public lands, another related to census sampling, and a third created a change in budget rules which would allow Congress to pass appropriations which it prefers but bottle up the passage of the President's budget priorities. That is not the way to establish a bipartisan relationship with the other branch of government.

The President vetoed that proposal. He told us ahead of time he would.

□ 1915

And he has told the Congress to do it right. He said, in essence, do not try to gain political leverage by using the distress of innocent Americans.

Now, I do not hesitate to speak out publicly when I think the President is wrong. I think people on this floor understand that. But the fact is the President is not wrong in this instance. He is absolutely correct.

He recognizes that farmers need this money to get on with their planting. He recognizes that they need it to replace livestock that were killed in the floods. He recognizes that local communities need the community development money in order to plan for their communities' futures. And he recognizes that the Joint Chiefs of Staff have indicated that they will have to stand down in terms of a number of important training exercises and other military activities unless Congress quits fiddling and sends the President the package that he has asked for.

So, very simply, what will happen here tonight is this. At the end of this discussion, when the motion comes to refer this matter to committee, I will ask Members to vote no on the previous question so that, in the event the previous question fails, we can immediately ask unanimous consent to bring up H.R. 1796, which would have the effect of stripping from this proposal the three riders that caused the President to veto the bill and sending a clean bill back to the White House.

It would contain every other provision that was fashioned by the majority in this House except those three political riders. That is all our motion would seek to do.

What we are asking people to do is to recognize that for the people in the affected areas, who we are trying to help with this supplemental, for them, refusal of the Congress to provide needed assistance in a timely fashion is nothing

but a second government shutdown. That is what it represents in those areas.

So I ask my colleagues to end that second government shutdown for those purposes by voting no on this proposal to send it to the committee tonight and get on with doing this week what we should have done last week, which is to pass a clean supplemental appropriation.

Mr. MCDADE. Mr. Speaker, I yield 2½ minutes to the gentleman from South Dakota [Mr. THUNE].

Mr. THUNE. Mr. Speaker, I thank the gentleman from Pennsylvania for yielding me this time, and I say to my colleagues on the floor this evening, "I told you so," because I have been suggesting to Members on both sides for some time now that this is where ultimately we would end up.

We have a bill that has been under consideration for several weeks, and the people in this country, one thing they are not missing is that what is delaying consideration of this bill, what is delaying disaster relief, is politics. I am not sure that everybody understands exactly all the intricacies of the continuing resolution or of the census and what is trying to be accomplished there, but one thing they do know is that this institution, Washington, DC, is playing politics with disaster assistance.

When I was out there this week, and I guess I would urge my other colleagues, because many of them have not seen what I have seen, but when they have looked at the mud-filled basements and seen the disastrous effects the floods and the blizzards have had on the cattle and the livestock industry of my State and the people who are waiting for assistance, when we have said in Washington help is on the way, and we have made a commitment that we are going to deliver, and yet we have failed to do it, what I heard repeatedly this last week was, "Can you in Washington not get it right? You do not seem to get it."

These people want the Republicans and the Democrats and the White House and the Congress to work together in a way that will get a consensus so that we can get this process on the way.

I was on Highway 281, Federal Highway 281 this last week, north of Tulare, SD, just south of Redfield, and there was a gentleman sitting on the center line of Highway 281 fishing for northerns. Highway 281 is completely under water, and with it is the railroad that transports the grain commodities on which our State depends for its economic survival.

We have railroad assistance in this bill. We have several things that are going to be important for agriculture to recover. So I urge this body and our colleagues in the Senate and the White House to get together and to work something out to get this job done.

I believe the message has been sent. Whatever that message was, and it still

eludes me, but the fact of the matter is people are waiting, patience is wearing thin, and temperatures are on the rise all over the country. And I am glad to say not just in South Dakota, I think people elsewhere around the country are getting the message we need to do something. Congress needs to act, the White House needs to act, Republicans and Democrats need to develop a consensus in order to get this done. I hope we will get that process underway tonight.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. FAZIO].

Mr. FAZIO of California. Mr. Speaker, we have had an opportunity for 83 days, since the administration sent an urgent disaster relief package to Congress, to work out the details and send it on for Presidential signature so we could really address the overwhelming needs of people in 35 different States around the country, some of whom, as in the upper Midwest, continue to suffer as we speak.

We have played around, we have squabbled over details that, frankly, did not even need to be included in this bill, and we have allowed a number of extraneous matters to become an impediment to getting it signed into law. It is time we bring an end to this charade. The public expects us to deliver on fundamental promises we make people, and that is if we have people suffering in this country, we will all get together to help them address it.

The President has indicated that there are two particular amendments he cannot live with. At the moment, it seems we are dead set on sending them right back to him, prolonging the gridlock, bringing down additional disrespect on this institution. We have an opportunity in a few minutes to offer our support for a clean bill that can be signed within several days that will let us restore public trust in this institution and get about the business of doing what we were elected to do, and that is deal with basic problems.

My district suffered in January. We are concerned that we will not be able to prevent another disaster next winter in northern California because we do not have the funds to go about improving our levee system, bringing it back to a level of protection we thought we had last January. It is unconscionable that we continue to argue about the census or about some automatic mechanism by which we could pass all appropriations bills when we all know what we have to do is stick to the business of appropriating funds for disaster relief.

Mr. Speaker, I hope we will act tonight to support this motion which will be made that will give us an opportunity to pass a clean disaster relief bill.

Mr. OBEY. Mr. Speaker, I yield 3½ minutes to the distinguished gentleman from North Dakota [Mr. POMEROY].

Mr. POMEROY. Mr. Speaker, I believe that each and every one of us is

here as a Member of the House of Representatives because the bottom line is we care about people. We believe differently as to how we best help people, but we are here to help people. Let us remember that this bill is about helping people.

Six and a half weeks ago the levees broke on the Red River, inundating Grand Forks and East Grand Forks. This is a photograph that appeared in the newspaper, of a woman being told in the dead of night that she has to get out of her home, leave all her possessions, because the water is about to take everything she knows and holds dear.

The trauma of such an event in such a middle America place like Grand Forks, ND, is beyond my ability to describe to my colleagues, but I was there and, believe me, it was God awful. Now the people are being traumatized by another occurrence, this one not a natural disaster but a Congress-made one.

We need help. It is very clear. It is very clear to any American that has watched the news footage about what we have gone through just how badly we need help. People from around the country have responded in wonderful ways, small ways, like the 7-year-old that dropped off some canned goods so I could send them back to the people I represent; and, large ways, like the woman who gave \$15 million in individual grants of assistance.

But they expect fundamentally their government to respond, and we have been unable to respond, unable to respond because we have played to our worst instincts in this body, putting shallow, crass partisan politics in the middle of an effort to get help to people who need it.

This clipping says it all. It says what so many are saying to me as I go back to Grand Forks every weekend: "You are playing with our lives."

My colleagues have to understand that there are people that are not in homes tonight, there are families that are not together, and they cannot make a fundamental decision about even where they are going to live until we pass this bill.

FEMA does not fund the initial buy-out program that Grand Forks is going to launch. That is funded by the community development block grant funds in this bill. There is not money in the pipeline to help these people on these home buy-out decisions. We have to pass the bill first. And so until we pass the bill, these people are stuck. They are in limbo.

Again and again and again, when one goes back to our districts, we hear about how we are in limbo. I would invite any Member of this body to come with me to Grand Forks. If my colleagues do not believe it, come with me to Grand Forks. We will go tomorrow. If Members do not want to miss votes to do that, we will get on the phone. Come with me to my office. We will call Democrats in Grand Forks, we will

call Republicans in Grand Forks, we will call anyone my colleagues want to in Grand Forks to hear from the people themselves.

Sometimes maybe in our partisan warfare we forget what this is all about, but it is about helping people. And the people in our area are in a state of tremendous need tonight. Do not play with the lives of those we represent. These are Americans, they need our help. This is our Government, they deserve no less.

Let us act now and, for that reason, take precisely the action the gentleman from Wisconsin is suggesting. Do not go to committee. We have had enough of committees. Let us, as a body tonight, strip off the extra provisions and get the aid out of the House.

Mr. MCDADE. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. GEKAS].

Mr. GEKAS. Mr. Speaker, I thank the gentleman for yielding me this time. Had the President signed this bill, the aid which the gentleman who just appeared in the well wanted to see flow back to his region would have started. We would have had 3 days of moneys out of this bill flowing already into the distressed areas.

So who is playing with whose lives? Could not the President have signed that and understood that to prevent the Government shutdown is another good measure that would have been swept into the mix of providing this relief for the distress of the Middle West?

I have been trying, and everybody knows it, for 10 years now to produce an automatic methodology by which we could prevent Government shutdowns. It has nothing to do with politics. It has nothing to do with trying to get the President to succumb to some political pressure, because I did it when President Bush was President. I did it when President Reagan was President. I did it with a Democrat controlled Congress and a Republican President, and now the reverse, a Republican Congress and a Democrat President.

It merely says that, if we fail as a Congress, which we have done 50-some times in the last 10 years, to come to an agreement on a budget within the budget deadline, that automatically, the next day, last year's appropriations would go into being until the full budget can be completed.

The President in his veto message says, "While the goal of preventing a Government shutdown is a worthy one". That is his language, "is a worthy one"; he proceeds to veto a vehicle that would provide for a method to prevent Government shutdown.

□ 1950

That is politics. That is game playing. He says, on the one hand, it is bad to shut the Government down. Then when the Government was shut down, he blamed the Republicans. Now the Republicans fashion a bill that would prevent the Government shutdown, and he vetoes it, saying we want to see the

possibility of a shutdown occur again. That is politics.

Mr. OBEY. Mr. Speaker, I yield myself 1¼ minutes.

Mr. Speaker, that is precisely the same line of argument we heard from the majority party last year when they announced ahead of time that they were going to shut down the Government in order to leverage the President to swallow things that he did not feel he ought to swallow. And then after he stood up for principle, then they said, see, you caused the problem, you caused the problem, after they told the country for 3 months ahead of time they were going to shut the Government down.

What my colleagues have to recognize on that side of the aisle is that for the people in the areas affected by these floods, their refusal to let this legislation go to the White House in shape that can be signed is tantamount to a second Government shutdown. Now it is time that they put their own subjective judgments second to the needs of the people in the affected areas and deliver the aid that they have a right to expect.

Government is either going to be on their side or it is going to be against them. In this case, unless we let this legislation go, they have a perfect right to conclude that Government is against them, and that is not where it ought to be tonight.

Mr. MCDADE. Mr. Speaker, I reserve the balance of my time.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished minority whip, the gentleman from Michigan [Mr. BONIOR].

Mr. BONIOR. The gentleman from Wisconsin [Mr. OBEY] is absolutely right, Mr. Speaker. For millions of people across this country, this amounts to another Government shutdown. It amounts to the Government turning their back on them, not being there for them when they need the help.

Week after week, we have urged our Republican colleagues to pass a disaster relief bill that would rush help to families struggling to recover from the worst floods to hit the northern plains in 500 years. Disaster relief, emergency relief, nothing more, nothing less, disaster relief; this is help that people desperately need. As the gentlemen from South Dakota and North Dakota so eloquently said this evening, they need to rebuild their homes, to reopen their businesses, to replant their fields, to resuscitate their economy.

And what did my Republican colleagues do? Ignoring President Clinton's promised veto, they loaded up the disaster bill with extraneous provisions, provisions that had nothing whatsoever to do with flood relief, provisions aimed at undermining the accuracy of the U.S. census in the year 2000.

People need help now. We are arguing about a problem in the year 2000. It took the President all of 19 minutes to veto the bill. Now we are back where we were 2 weeks ago. Meanwhile, flood

victims are still waiting. They have waited for 83 days. They waited while Congress went on vacation. They waited all weekend. And they are still waiting. They are waiting for some sign of hope. They are waiting without their homes, in trailers. They are waiting without jobs. They are waiting without the ability to work in their fields. They are waiting without their businesses.

I stand ready with my Democratic colleagues to pass a disaster relief bill that just does that, it provides disaster relief to working people who are struggling to get on with their lives and provide it today, now, in a few minutes. Disaster relief. Nothing more. Nothing less. No census formulas. No Government shutdown clauses. Disaster relief.

It is not complicated. It should not be controversial. Enough is enough. The flood victims have run out of patience. Let us vote on disaster relief and do it now. Nothing more. Nothing less. Stay with the proposal that the gentleman from Wisconsin [Mr. OBEY] will be offering on the previous question to vote it down to bring a clean bill to the floor. Stay with the gentleman from South Dakota [Mr. THUNE], who got up here and gave an eloquent statement about the misery of the people that he represents. Stay with your colleague, who wants a clean bill. My colleagues would want no less if they were in his shoes.

Mr. McDADE. Mr. Speaker, I yield myself such time as I may consume. I shall speak for just a few seconds, Mr. Speaker.

The one way to begin to bring relief tonight to the people who are affected in this disaster is to vote to send this back to committee so the process can be rejuvenated and worked out. If my colleagues vote for the previous question, Mr. Speaker, it creates chaos in this body. I urge my colleagues to assist the people in our country who are crying out for relief in the disaster by voting to send this bill to committee.

Mr. McDADE. Mr. Speaker, I have no further requests for time, I yield back the balance of my time, and I move the previous question on the motion to refer.

The SPEAKER pro tempore (Mr. PEASE). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. OBEY. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

Pursuant to the provisions of clause 5 of rule XV, the Chair will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device, if ordered, will be taken on the question of the motion to refer.

The vote was taken by electronic device, and there were—yeas 216, nays 205, not voting 13, as follows:

[Roll No. 177]

YEAS—216

Aderholt	Gekas	Nussle
Archer	Gibbons	Oxley
Armey	Gilchrest	Pappas
Bachus	Gillmor	Parker
Baker	Gilman	Paul
Ballenger	Goodlatte	Paxon
Barr	Goodling	Pease
Barrett (NE)	Goss	Peterson (PA)
Bartlett	Graham	Petri
Barton	Granger	Pickering
Bass	Greenwood	Pitts
Batesman	Gutknecht	Pombo
Bereuter	Hansen	Porter
Bilbray	Hastert	Portman
Bilirakis	Hastings (WA)	Pryce (OH)
Bliley	Hayworth	Quinn
Blunt	Hefley	Radanovich
Boehlert	Herger	Redmond
Boehner	Hill	Regula
Bonilla	Hilleary	Riggs
Bono	Hobson	Riley
Brady	Hoekstra	Rogan
Bryant	Horn	Rogers
Bunning	Hosettler	Rohrabacher
Burr	Houghton	Ros-Lehtinen
Burton	Hulshof	Royce
Buyer	Hunter	Ryuan
Callahan	Hutchinson	Salmon
Calvert	Hyde	Sanford
Camp	Inglis	Saxton
Campbell	Istook	Scarborough
Canady	Jenkins	Schaefer, Dan
Cannon	Johnson (CT)	Schaffer, Bob
Castle	Johnson, Sam	Sensenbrenner
Chabot	Jones	Sessions
Chambliss	Kasich	Shadegg
Chenoweth	Kelly	Shaw
Christensen	Kim	Shays
Coble	King (NY)	Shimkus
Coburn	Kingston	Shuster
Collins	Klug	Skeen
Combest	Knollenberg	Smith (MI)
Cook	Kolbe	Smith (NJ)
Cooksey	LaHood	Smith (OR)
Cox	Largent	Smith (TX)
Crane	Latham	Smith, Linda
Crapo	LaTourette	Snowbarger
Cubin	Lazio	Solomon
Cunningham	Lewis (CA)	Souder
Davis (VA)	Lewis (KY)	Spence
Deal	Linder	Stearns
DeLay	Livingston	Stump
Diaz-Balart	LoBiondo	Sununu
Dickey	Lucas	Talent
Doolittle	Manzullo	Taylor (NC)
Dreier	McCollum	Thomas
Duncan	McCrery	Thornberry
Dunn	McDade	Tiahrt
Ehlers	McHugh	Upton
Ehrlich	McInnis	Walsh
English	McIntosh	Wamp
Ensign	McKeon	Watkins
Everett	Mica	Watts (OK)
Ewing	Miller (FL)	Weldon (FL)
Foley	Moran (KS)	Weldon (PA)
Forbes	Morella	Weller
Fowler	Myrick	White
Fox	Nethercutt	Whitfield
Franks (NJ)	Neumann	Wicker
Frelinghuysen	Ney	Wolf
Gallely	Northup	Young (AK)
Ganske	Norwood	Young (FL)

NAYS—205

Abercrombie	Carson	Dixon
Ackerman	Clay	Doggett
Allen	Clayton	Dooley
Andrews	Clement	Doyle
Baessler	Clyburn	Edwards
Baldacci	Condit	Emerson
Barrett (WI)	Conyers	Engel
Bentsen	Costello	Eshoo
Berman	Coyne	Etheridge
Berry	Cramer	Evans
Bishop	Cummings	Fazio
Blagojevich	Danner	Filner
Blumenauer	Davis (FL)	Foglietta
Bonior	Davis (IL)	Ford
Borski	DeFazio	Frank (MA)
Boswell	DeGette	Frost
Boyd	Delahunt	Furse
Brown (CA)	DeLauro	Gejdenson
Brown (FL)	Dellums	Gephardt
Brown (OH)	Deutsch	Gonzalez
Capps	Dicks	Goode
Cardin	Dingell	Gordon

Green	Mascara	Roukema
Gutierrez	Matsui	Roybal-Allard
Hall (OH)	McCarthy (MO)	Rush
Hall (TX)	McCarthy (NY)	Sabo
Hamilton	McDermott	Sanchez
Harman	McGovern	Sanders
Hastings (FL)	McHale	Sandlin
Hefner	McIntyre	Sawyer
Hilliard	McKinney	Scott
Hinchey	McNulty	Serrano
Hinojosa	Meehan	Sherman
Holden	Meek	Sisisky
Hooley	Menendez	Skaggs
Hoyer	Millender	Skelton
Jackson (IL)	McDonald	Slaughter
Jackson-Lee	Miller (CA)	Smith, Adam
(TX)	Minge	Snyder
Jefferson	Mink	Spratt
John	Moakley	Stabenow
Johnson (WI)	Mollohan	Stark
Johnson, E. B.	Moran (VA)	Stenholm
Kanjorski	Murtha	Stokes
Kaptur	Nadler	Strickland
Kennedy (MA)	Neal	Stupak
Kennedy (RI)	Oberstar	Tanner
Kennelly	Obey	Tauscher
Kildee	Olver	Taylor (MS)
Kilpatrick	Ortiz	Thompson
Kind (WI)	Owens	Thune
Klecza	Pallone	Thurman
Klink	Pascarell	Tierney
Kucinich	Pastor	Torres
LaFalce	Payne	Towns
Lampson	Pelosi	Trafficant
Lantos	Peterson (MN)	Turner
Leach	Pickett	Velazquez
Levin	Pomeroy	Vento
Lewis (GA)	Poshard	Visclosky
Lipinski	Price (NC)	Waters
Lofgren	Rahall	Watt (NC)
Lowey	Ramstad	Waxman
Luther	Rangel	Wexler
Maloney (CT)	Reyes	Weygand
Maloney (NY)	Rivers	Wise
Manton	Rodriguez	Woolsey
Markey	Roemer	Wynn
Martinez	Rothman	Yates

NOT VOTING—13

Barcia	Fawell	Schiff
Becerra	Flake	Schumer
Boucher	Metcalfe	Tauzin
Farr	Molinar	
Fattah	Packard	

□ 1956

Messrs. MARTINEZ, HALL of Texas, and McDERMOTT changed their vote from "yea" to "nay."

Mr. BILBRAY changed his vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore [Mr. PEASE]. The question is on the motion offered by the gentleman from Pennsylvania [Mr. McDADE].

The motion was agreed to.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, June 9, 1997.

Hon. NEWT GINGRICH,
House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 5 of Rule III of the Rules of the U.S. House of Representatives. I have the honor to transmit a sealed envelope received from the White House on June 9,

1997 at 2:34 p.m. and said to contain a message from the President whereby he transmits proposed legislation entitled the "Cloning Prohibition Act of 1997."

With warm regards,

ROBIN H. CARLE,
Clerk, House of Representatives.

CLONING PROHIBITION ACT OF
1997—MESSAGE FROM THE PRESIDENT
OF THE UNITED STATES
(H. DOC. NO. 105-97)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Commerce and ordered to be printed:

To the Congress of the United States:

I am pleased to transmit today for immediate consideration and prompt enactment the "Cloning Prohibition Act of 1997." This legislative proposal would prohibit any attempt to create a human being using somatic cell nuclear transfer technology, the method that was used to create Dolly the sheep. This proposal will also provide for further review of the ethical and scientific issues associated with the use of somatic cell nuclear transfer in human beings.

Following the February report that a sheep had been successfully cloned using a new technique, I requested my National Bioethics Advisory Commission to examine the ethical and legal implications of applying the same cloning technology to human beings. The Commission concluded that at this time "it is morally unacceptable for anyone in the public or private sector, whether in a research or clinical setting, to attempt to create a child using somatic cell nuclear transfer cloning" and recommended that Federal legislation be enacted to prohibit such activities. I agree with the Commission's conclusion and am transmitting this legislative proposal to implement its recommendation.

Various forms of cloning technology have been used for decades resulting in important biomedical and agricultural advances. Genes, cells, tissues, and even whole plants and animals have been cloned to develop new therapies for treating such disorders as cancer, diabetes, and cystic fibrosis. Cloning technology also holds promise for producing replacement skin, cartilage, or bone tissue for burn or accident victims, and nerve tissue to treat spinal cord injury. Therefore, nothing in the "Cloning Prohibition Act of 1997" restricts activities in other areas of biomedical and agricultural research that involve: (1) the use of somatic cell nuclear transfer or other cloning technologies to clone molecules, DNA, cells, and tissues; or (2) the use of somatic cell nuclear transfer techniques to create animals.

The Commission recommended that such legislation provide for further re-

view of the state or somatic cell nuclear transfer technology and the ethical and social issues attendant to its potential use to create human beings. My legislative proposal would implement this recommendation and assign responsibility for the review, to be completed in the fifth year after passage of the legislation, to the National Bioethics Advisory Commission.

I urge the Congress to give this legislation prompt and favorable consideration.

WILLIAM J. CLINTON.
THE WHITE HOUSE, June 9, 1997.

□ 2000

NO WAY TO RUN A CONGRESS

(Ms. DELAURO asked and was given permission to address the House for 1 minute.)

Ms. DELAURO. Mr. Speaker, it has now been 83 days since the President first asked this Congress for disaster relief legislation. Flood-stricken families in the Midwest are desperately waiting for these funds. Yet the majority has loaded up this bill with provisions the President has said that he cannot accept in an effort to embarrass him.

Let me quote from today's Wall Street Journal that says Speaker NEWT GINGRICH has privately indicated that he never expected the President to sign the bill sent to him. Let me also mention what Republicans are privately conceding, that this is more of a rhetorical attempt to embarrass Mr. Clinton, put themselves in a better light after helping to provoke shutdowns in the last Congress.

Mr. Speaker, we are talking about people's lives. There are literally tens of thousands of people unable to make basic decisions about their lives until this bill is enacted. Yet the majority refuses to send a bill without these provisions to the President. This simply is no way to run a Congress.

Mr. Speaker, providing Federal assistance to the victims in times of crisis is one of the fundamental roles of the United States Congress, yet my Republican colleagues would abdicate this basic responsibility in order to score political points.

I implore the majority to stop playing politics with people's lives. Send the President a clean disaster bill today.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. PEASE). Under the Speaker's announced policy of January 7, 1997, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri [Mr. GEPHARDT] is recognized for 5 minutes.

[Mr. GEPHARDT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California [Mr. DREIER] is recognized for 5 minutes.

[Mr. DREIER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. BONIOR] is recognized for 5 minutes.

[Mr. BONIOR addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

WE SHOULD NOT SACRIFICE FREEDOM OF EXPRESSION WITH A FLAG AMENDMENT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Mr. PAUL] is recognized for 5 minutes.

Mr. PAUL. Mr. Speaker, in 2 days we are going to be debating an amendment to the Constitution dealing with the flag. The proposed flag amendment to the Constitution deals with more than just the issue of freedom of speech. It involves the right of free expression and the right to own property. These two are inseparable. A free society cannot have one without the other; and when one is compromised, so is the other.

When property rights are correctly honored, free expression is guaranteed through that right. The independence of a newspaper, radio station or a church guarantees the use of that property in any free expression desired. No one has the right to use any newspaper, radio or church to exert his or her own opinion as an example of free speech. Catholics have no right to say Mass in a Jewish temple. Certainly in our homes we are protected from others imposing their free speech on us. It is the church property that guarantees freedom of religion. The networks or papers need not submit to demands to be heard by religious believers as an example of free speech. Use of the radio or newspaper by those with strong opinions or religious views is only done voluntarily with the permission of the owner.

Yes, it is very important who owns the flag and where it was desecrated. What if it is in a home or in a church for some weird reason? Do the police invade the premises? Who gets sent in? The BATF, the DEA, the FBI, the U.S. Army or the U.S. flag police? If it is on government property or a government flag or someone else's flag, that is an attack on property that can and should be prosecuted. By legislating against how someone else's flag is being used, the right of free expression and property ownership is infringed just as if it were church property or a newspaper.

We work diligently to protect controversial expression in books, television and movies and even bizarre religious activities through the concept of

private property ownership as long as violence is not used. Is this matter any different?

We live in an age where it is becoming more common to attack free expression, and that is a danger we should not ignore. We find one political group attacking expression that violates the subjective rules of politically correctness while working to prohibit voluntary prayer. Now another wants to curtail expression through flag anti-desecration laws in the name of patriotism. But there is a better way to handle demonstrations and malcontents.

The danger here is that flag burners frequently express a disdain for big government. Curtailing any expression of criticism of the government is fraught with great danger. Will anyone who opposed big government someday be identified as a friend of the flag burners and treated like one since he is expressing an idea similar to the flag burners? Just because some people are not smart enough to express themselves in any other way than flag burning, it does not justify the careless attack on free expression. Once it is routinely accepted expressing these ideas as dangerous to the status quo, all our freedoms are threatened.

We need to direct our patriotic zeal toward defending the Constitution and to the protection of liberty. Lack of this effort has led to the impending bankruptcy of the warfare state. Now, there is a problem worth directing our attention.

The flag police are no substitute for our policing our own activities and responsibilities here in the Congress. We are endlessly delivering more power in the name of political emergencies, budgetary crises and government efficiency to the Executive, a process not permitted under the Constitution. We permit socialists to attack property rights and the fundamentals of economic liberty as a right under our Constitution. But those who profess respect for private property should not be trapped into attacking flag property when it is used to express unpopular antigovernment views and even change the Bill of Rights to do so.

The socialists know what they are doing, but the anti-desecrators act out of confused emotions while responding to political pressures. We should not further sacrifice freedom of expression with a flag amendment. Especially when compared to the harm done with taxpayers' funding of school programs and NEA desecration, it is negligible. True patriots can surely match the wits of the jerks who burn flags without undermining the first and the fifth amendments.

Mr. Speaker, we can do better than rush to alter constitutionally protected free expression for a nonproblem. We could easily organize bigger and grander demonstrations to celebrate our constitutional liberties for which the flag is our symbol in answer to the flag burners.

I promise to appear any time, any place to celebrate our liberties and countermand the flag burners who work so hard to offend us. We do not need an amendment to the Constitution which for the first time in our history would undermine and curtail the protections of the first amendment.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. PALLONE] is recognized for 5 minutes.

[Mr. PALLONE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

TRIBUTE TO NEW JERSEY'S 13TH ANNUAL DEAF AND HARD OF HEARING DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. PAPPAS] is recognized for 5 minutes.

Mr. PAPPAS. Mr. Speaker, as I stand here today, almost three-quarters of a million of my fellow New Jersey citizens are unable to hear what I am saying. It is not that they are not listening, but rather they are physically unable to hear. Although closed captioning television is beneficial to some, many citizens are without the service.

I rise today to recognize my State's proclamation of June 14 as the 13th Annual Deaf and Hard of Hearing Day. This day sets out to raise awareness for an issue and a segment of our population that face a silent disability.

The ability to hear is truly a blessing and something that those of us who can hear often take for granted. For just a moment think of all the different sounds that echo through our daily lives: The birds chirping in the early morning, the music in the car, or the elevator, or familiar voices of our friends, family members, and coworkers.

As a society we depend on sounds in so many ways: Vehicle horns when we are driving, fire alarms to alert us to danger, and even here in Congress we listen for the bells to alert us of upcoming votes.

It is difficult to imagine the everyday difficulties that those citizens who are unable to hear face in their efforts to function in a society that uses sounds in so many ways as a means of communication.

Beyond the sounds we hear, the spoken language is our primary means of expressing and receiving our thoughts and ideas. We use telephones to communicate, we listen to the television and radio for our entertainment and information, but the deaf community and hard of hearing community communicates in a much different way. The silent disability that they face forces them to converse through sign language and use TDD and relay services as an alternative method of telephone communication.

As a student of sign language myself, I am well aware of the daily efforts

that must be made to express themselves without spoken words. Yet it is a difficult language to learn but highly necessary for survival. I encourage everyone who has the opportunity to learn, to learn sign language.

This Saturday at the Great Adventure Amusement Park in Jackson, NJ, thousands of people from New Jersey's deaf and hard of hearing community will celebrate the 13th Annual Deaf and Hard of Hearing Day. If anyone is interested in seeking out more information on the day's events, they can call either through Voice or TDD, and the telephone number at the Division of the Deaf and Hard of Hearing in New Jersey is 609-984-7281.

I want to congratulate Richard Her-ring, the Director of the Division of the Deaf and Hard of Hearing of the New Jersey Department of Human Services, for his efforts in making this annual event such a success. His efforts over the years to celebrate, educate, raise awareness, and recognize the achievements made by fellow citizens have truly had a tremendous impact on both the deaf and hearing communities of my State.

BAD MANAGEMENT OF AN EMERGENCY BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts [Mr. OLVER] is recognized for 5 minutes.

Mr. OLVER. Mr. Speaker, today the President, President Clinton, vetoed a bill which he had said very clearly that he was going to veto. Very clearly he had indicated that that veto was coming because of a series of extraneous riders to an otherwise emergency bill. And so we have a situation that I have really in 30 years of legislative life that I have gone through both in Massachusetts, my home State, and here 6 years in the Congress, I think that I have never seen an emergency bill managed more cavalierly, more carelessly by the legislative body and the majority than this one has been managed this year.

It was back in March, the 19th of March, that the President had asked for this legislation totaling about \$7.1 billion, part of it to deal with the very serious natural disasters in the Ohio Valley, the flooding in northern California, the Red River Valley, and the Dakotas, and in Minnesota in order to help put back the lives of hundreds of thousands of devastated families, farms and businesses, people whose lives had really been deeply hurt by that and also, by the way, to carry out \$1.8 billion that was to provide our peacekeepers in Bosnia, those people, men and women, who wear the American uniform and are doing a dirty and a tough job, but a necessary job, the resources that they need in order to do that.

□ 2015

There is no reason whatsoever why this bill should not have been passed

and signed by the President, a clean emergency bill to deal with these natural disasters and with our peacekeepers' needs in Bosnia, no reason at all why that should not have been passed by the Congress and signed into law by the time we went home for our Memorial Day long weekend, and the 10 days that we, as Members of Congress, spent in our districts.

However, on May 23, we recessed. There was an attempt by the majority to adjourn, but instead, that was denied by a relatively wise majority that day, a majority of the Members, and we instead recessed for those 10 days, leaving those hundreds of thousands of families without having been dealt with fairly for the disasters that they had undergone.

Then it took us the whole next week after we came back until June 5, late last week, when we finally passed the emergency legislation, and even then, the majority did not send it to the President. Even then, they held it over the weekend until the beginning of this week, when they knew that they had added provisions to the legislation that the President had said very clearly change the balances of powers that were extraneous to any emergencies that would force a veto, and so early this week he vetoed the legislation.

Why did the Republican majority follow this kind of strange procedure in this legislation? Well, they had a major environmental rider in the legislation which was to the conversion of certain claimed rights-of-way, conversion of rights-of-way to paved highways across National Parks and Public Lands and military installations. That legislation, that rider by itself, could never have passed this Congress, could never have passed either branch of the Congress, yet it was put into this bill and it was not even an emergency.

Then they had a census rider in there that the President said that he would have to veto which would have removed the procedure for sampling that has been used in each of the last two censuses under a Democratic President, under a Republican President, that procedure for sampling of our population that gives us the most accurate possible census at the lowest possible cost.

Now, why was that? Well, it turns out that there seemed to be some belief that it was an advantage, it would be an advantage to the Democratic Party. Well, that is not really the case. It is not at all clear who would be advantaged. The only thing happening here was that by adding that rider, we end up with a higher cost census, a less accurate census, and one that is very difficult to get done at all. So that rider was put on.

Then the third and probably the most critical item among the riders was that to impose a distinct power shift in the constitutional powers in dealing with budgets between the Congress and the presidency. For those reasons it was vetoed, and for those reasons the clean

bill should be passed by this Congress and sent back to the President so he can sign it.

EUROPEAN SECURITY ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania [Mr. FOX] is recognized for 5 minutes.

Mr. FOX of Pennsylvania. Mr. Speaker, I rise today to speak about a very important issue and that is NATO. On April 4, 1949, the United Nations, Canada and 10 European governments signed the North Atlantic Treaty creating NATO. It was established to deter potential Soviet aggression in Europe and provide for the collective self-defense of the alliance.

Since then, NATO has reshaped its military strategy fundamentally in the wake of the Conventional Armed Forces in Europe Treaty, the Strategic Arms Reduction Treaty, and the massive cuts in U.S. short-range nuclear forces towards power projection with more mobile forces and away from an armored positional force in Central Europe.

During the December 1994 NATO summit, the U.S. expressed its interest in expanding NATO in order to, one, strengthen nations that share our U.S. belief in democracy; two, continue the development of free market economies open to U.S. investment and trade; and, three, secure allies willing to share in cooperative efforts on a range of global issues; and finally, four, preserve a Europe free from domination by any single power.

I believe that the enlargement of NATO will enhance stability by providing NATO's security guarantee for candidate states working to construct viable democracies and free market systems, Mr. Speaker. I call for my colleagues tomorrow to support the European Security Act, which will help to expand NATO. H.R. 1758 declares that the door to membership in NATO should remain open to all emerging democracies in Central and Eastern Europe, and expresses the sense of Congress that the Baltic Nations and Romania should not be admitted to NATO, and declares that Congress will not approve international agreements that accord second-class status to any new NATO members.

Finally, Mr. Speaker, the bill declares that the door to NATO membership should not close in the first round of NATO enlargement this summer. Aspiring members who may be left out of the first round must be assured they will be considered for NATO membership in the future. This particular measure provides that Romania, Estonia, Latvia and Lithuania shall each be designated as eligible to receive assistance under the NATO Participation Act of 1994.

So I urge my colleagues to give careful attention to this legislation when it is debated on the floor, because I believe it is of interest not only to Amer-

icans, but to all of those who live in the countries that have been designated as those who will be positive for NATO and positive for world peace.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Mr. STRICKLAND] is recognized for 5 minutes.

[Mr. STRICKLAND addressed the House. His remarks will appear hereafter in the Extension of Remarks.]

STOP THE BATTLE OF THE BULGE IN THE SUPPLEMENTAL APPROPRIATIONS BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas [Ms. JACKSON-LEE] is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, this evening I would like to talk about the battle of the bulge, or maybe it is a battle with the bulge. That is the emergency supplemental appropriations legislation that the Republicans seem to think will play politics with the lives of thousands and thousands and thousands of citizens in the Dakotas, Minnesota, and California, and 29 other States ravaged by flooding and other natural disasters.

Coming from the State of Texas, we well know the tragedy of natural disasters, whether it is hurricanes or floods or tornadoes. Most States in this Nation have had their share. Therefore, it seems much more than a crisis, but a literal shame that the Republicans have decided to play politics with a simple act, and that is, show them the money and get them the money. That is the call, and that is what we need to be doing in the U.S. Congress.

It is interesting that I stand here on June 10, 1997, for it was on March 19, 1997, that the President sent to this Congress, almost 3 months ago, the need for emergency disaster assistance and urged this Congress to act promptly. There is no hardness or difficulty to this legislative act. It is simply to pass an emergency supplemental appropriations bill that will provide \$5.8 billion of much-needed assistance to people hard-hit and hit in the pocketbook, if you will.

In addition, it included \$1.8 billion for the Department of Defense in related efforts for our peacekeeping needs in Bosnia and Southwest Asia. But yet, rather than send a clean supplemental appropriations bill, this Congress decided to load it down with ill-advised and unnecessary pieces of legislation.

For example, rather than emphasizing the need of those individuals over and over again by passing this clean supplemental appropriations bill, we would find in this particular legislative package the battle of the bulge. We would find elimination of the ability to use sampling in the census.

Someone might ask, why is that relevant? Why are we even having that in legislation without full discussion and

understanding whether that is a positive or a negative? Frankly, that is a good question, because in fact it has been clearly shown that sampling is an accepted method of creating the census. Politics again, allegations that sampling benefits one group over the other, Democrats versus Republicans, and yet the real question is providing the dollars for those who are in need in the Dakotas and Minnesota, California, and 29 other States.

What else is in here? Questions under the Department of Justice, issues dealing with the environment. One would wonder why that was in there, and other matters that are extraneous to the actual needs of these citizens.

I would simply say that time is now overdue for clearly responding to the President's veto. He is serious. But more important, he cares about those, and we care about those who are in need of money to pursue the cleanup, the rebuilding, the rebuilding of lives and families. All we have to do is simply respond to the President's request, simple request coming 3 months ago: Pass a clean emergency supplemental appropriations bill. Stop taking away the ounce of prevention program, a program that helps communities work together to eliminate crime. Stop taking away money from the peacekeepers, the men and women in Bosnia who have given their lives for this country. Stop interfering with the environment by trying to undercut an environmental process with the Department of the Interior. Stop interfering with the Department of Defense with the dual-use technologies. All of these issues are in an emergency supplemental bill when all we want is the money for these people to rebuild their communities.

I would simply say it is time now to stop the politics and act quickly, swiftly, certainly more so than we have done over these last 3 months. Bring back a clean emergency supplemental appropriations bill. Let us deal with the people forthrightly in those areas that are in need, and then, if we must, have legislative discussions and hearings relevant to these other aspects of this bill, but let us stop the battle of the bulge, cut the fat and get down to the bottom line, serve the people who are in need and pass the emergency supplemental appropriations bill.

DISASTERS ARE NOT PARTISAN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arkansas [Mr. SNYDER] is recognized for 5 minutes.

Mr. SNYDER. Mr. Speaker, I thank you and the staff who are putting in long hours here once again. We appreciate you very much.

Mr. Speaker, on March 1, we had a 260-mile squawk of tornadoes come through Arkansas. By the weatherman's count, there were approximately 24 different tornadoes that came out of the same storm front and caused tre-

mendous damage through that 260 miles. There were over 20 deaths; the majority of them were in my district. For those that did not die and did not lose family members, their life too was severely affected by the storm, and as many of us do who are elected officials in those type of events, we go out there and try and learn and walk with our constituents through their tragedies.

I do not need to go into great detail about those stories. I have talked with policemen who found bodies, I have talked with family members who found family members. I cannot describe house after house after house of damage.

Any of us who have seen those kinds of storms, we know that those storms are not partisan issues. We know that those victims were not only Democrats or only Republicans or only Independents or only black or only white; we know that they were Americans undergoing great tragedy.

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I do not see this issue of the supplemental appropriations being a partisan one. I know that Republicans and Democrats together care about the tornado victims in Arkansas, they care about the flood victims in the northern United States.

The issue is not about who cares the most. We all care about what happens to our fellow Americans. The issue is really to me a more mundane one: How do we do the people's business; how do we in this Chamber, how do we freshmen, just completing our first term, just a few months into our first term, how do we do the people's business?

Frankly, my constituents back home are confused by how we are doing the people's business when it comes to this storm. They see in the paper the words "supplemental appropriations"; and I am a freshman, I hear that phrase, and it sounds like some new type of nutritional drink for athletes: supplemental appropriations.

Then I explain to them that is emergency, emergency money for troops overseas, emergency money for storm victims. Then they want to know, why is there such controversy over emergency dollars that we all agree on? And I do not have a good answer. As a new Member, I am still learning.

Let me tell the Members one of my observations here in the last few months. To me it seems there is a difference between compromise and common ground. We elected officials, we always talk about politics being the art of compromise. Let me suggest, Mr. Speaker, that perhaps in emergencies we ought not to be looking for the compromise. Compromises can take weeks and months to achieve. Perhaps we should be looking for the common ground: Find those things that we all agree on, whether we are Democrat or Republican, whether we are in Congress or in the executive branch and are the President. Find those things we all agree on and let us pass those cleanly without this extraneous material.

Mr. Speaker, I ask support tonight that we pass a clean appropriations bill, take out things on which we are having fights, take out those things that have nothing to do with emergencies, such as how to conduct the census. It does not make sense to the people of Arkansas that we are dealing with a very controversial issue, how do we do the census, when we are trying to provide emergency dollars for our troops in Bosnia, when we are trying to provide emergency dollars for storm victims throughout this country.

Tomorrow I hope we will vote on a clean supplemental appropriations bill. I hope we will vote for one without extraneous material. I hope we will conduct the people's business and find the common ground that the people of Arkansas and the people of this country want.

PASS A CLEAN SUPPLEMENTAL APPROPRIATIONS BILL

The SPEAKER pro tempore (Mr. BOB SCHAFER of Colorado). Under a previous order of the House, the gentleman from California [Ms. WOOLSEY] is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, earlier this year our country faced the disaster of floods and tornadoes that ravaged homes and businesses all across our Nation. In my district in California, the Russian River flooded our communities not once but twice this year. The damage was devastating. It devastated homes, businesses, agricultural lands, and the environment. It played havoc on the tourism industry at the Russian River.

However, Mr. Speaker, in the Congress today we have a disaster of our own. This time the disaster has been caused by the flood of partisan game-playing and a tornado of political maneuvering by the majority party.

It has been over 2 months since the President requested emergency aid for flood victims. But my colleagues on the other side of the aisle continue to hold disaster relief funds hostage. They have loaded down this supplemental appropriations bill with pet political projects and extraneous provisions and stopped this bill dead in the water.

Mr. Speaker, the consequences of this delay are enormous. Disaster victims across America cannot reconstruct their businesses, their homes, their lives. They cannot clear their fields for new crops. They cannot get on with the job of rebuilding their lives and their environments.

Speaking of victims and their lives, and about what this game is doing to them, the mothers and babies who rely on WIC, the women, infants, and children program, cannot wait any longer. They have to know whether they are going to be thrown off of that program. Without the \$76 million in supplemental funds in this bill, more moms and children will be denied critical nutritional assistance, and fewer infants and children will get the nutritional

food they need to grow into healthy adults.

Mr. Speaker, it is truly outrageous that the majority party is playing political football with the lives of flood and tornado victims and pregnant women and their babies.

Mr. Speaker, while the rains have stopped and the Sun is shining in California today, the partisan games of the majority continue to cast a dark cloud over our recovery. Let us get on with it. Let us pass a clean supplemental appropriations bill that does what it was intended to do: provide emergency funds, not further some political agenda. Let us not tell these rained-out families that the Sun will come out next week or next month. Let us pass a clean supplemental and let us do it now.

EVEREADY AND THE ENERGIZER BUNNY JOIN THE NAFTA DRUMBEAT OF JOBS AND WAGES LOST TO MEXICO

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio [Ms. KAPTUR] is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, everybody knows the Energizer Bunny. He has been around since the 1980's, and appeared in more than 40 commercials with his sunglasses and that little drum. Everybody knows his message: The bunny just keeps going and going and going.

Well, last week Eveready Battery Co., maker of the Energizer battery and the largest manufacturer of dry cell batteries in the world, announced that it would be closing its factory in the town of Fremont, OH, and moving all of those jobs to, you guessed it, Mexico; 250 more citizens of our country earning between \$10 and \$15 an hour whose jobs are now on the chopping block, outsourced again to a low-wage nation that has no responsibility on environmental considerations. This gives new meaning to the Eveready slogan, it just keeps going and going and going, because those workers in Fremont, OH, now understand what that Energizer bunny is drumming all about.

This particular company is part of a larger trend since NAFTA: a quicker pace of companies moving from our country, moving good jobs that used to pay good wages with benefits in this Nation to low-wage environments, keeping pressure here at home for jobs that are more temporary in nature, more part-time, with no health benefits, and with retirement benefits threatened every step of the way.

Throughout our country companies are moving production and jobs to places like Mexico at a faster pace. In fact, when we add up these Eveready lost jobs, the numbers of people that have already been certified as having been terminated as a result of NAFTA now number over 140,000 around our country, including in States like my own, in Ohio.

We have seen textile and apparel plants leaving the American Southeast. We have seen electronics companies leave Massachusetts and Indiana. We have seen the destruction of the tomato industry in Florida. We have seen the potential for tens of thousands of jobs in the automotive industry to evaporate as companies locate plants in the border areas of Mexico. We have seen the potato industry in Maine laid low because of imports from Canada, and the wheat growers and cattle growers in the Plains States under assault.

The downward pressure on wages and benefits continues around this Nation. NAFTA is making its effects felt in communities throughout our Nation, and no region is exempt. You can run, but you cannot hide from the effects of NAFTA.

Today the Associated Press reports that the community that has been most hard hit by NAFTA is, you would never have guessed it, El Paso, TX. That is right, El Paso, TX, right there on the border, the same El Paso, TX that proponents of NAFTA predicted would be one of the greatest beneficiaries of the trade agreement. El Paso was once a stronghold of the garment industry, but the community has now lost over 5,600 jobs since NAFTA.

Coming in second is Washington, North Carolina, which has lost 3,400 jobs because of NAFTA. If anything, these statistics understate the dimensions of the losses, because not all workers who lose their jobs are reported to the Government of the United States at the Department of Labor.

By the way, it is the U.S. taxpayers that end up paying the costs of unemployed workers that are displaced due to this trade agreement when production is moved outside the United States. Most American citizens do not understand that. They think if people are put out of work, somehow the companies end up paying the costs of the workers' replacement in another field. That obviously does not happen.

Is that not a fine how do you do? Not only do the companies leave and they take the jobs elsewhere, but then it is the people of the United States through their tax dollars that have to subsidize the movement of these workers to hopefully some other job or some type of training.

We do know in all of the studies that have been done that when people leave one job and move to another, they rarely are employed at the same wage level, they rarely get the same benefits, and in fact, since NAFTA's passage, most of these people have seen their standard of living erode in an economy that is supposed to be just doing wonderfully.

I will submit for the RECORD the article that was in the Associated Press this morning, that El Paso leads the Nation in lost jobs, and an article from the News Messenger in Fremont, OH: "NAFTA Cited in Eveready Loss," as further evidence that the agreement is not working.

The articles referred to are as follows:

[From the News-Messenger, June 6, 1997]
NAFTA CITED IN EVEREADY LOSS—TOLEDO AREA U.S. REP. BLAMES FREMONT PLANT CLOSING ON FREE TRADE PACT

(By Lynda Rea)

Eveready Battery Co.'s decision to close its Fremont factory is the latest tragedy resulting from the North American Free Trade Agreement (NAFTA), Toledo's U.S. Congresswoman says.

"Every single job we lose is a tragedy for the people who are terminated and the community in which they reside," the 9th District's Marcy Kaptur said.

"Eveready advertises they 'keep going.' Well, I guess they are going. This is 250 workers—that is a huge, huge loss for us."

Eveready announced earlier this week it would close the newly-renamed Energizer factory in 12 to 14 months and move a portion of its production to Mexico, eliminating 250 local jobs.

Asked whether NAFTA played a role in the decision, Eveready officials emphasized that the reason instead is declining consumer demand for carbon zinc batteries, which do not last as long as alkaline batteries.

Domestic production of carbon zinc batteries, which are made in Fremont, has dropped to 30 percent of what it was in 1986, Eveready spokeswoman Jill Winte said.

"NAFTA has not been a factor in the decision-making process," Winte said. "The carbon zinc battery is just a declining segment of the market."

Kaptur says companies are heading south of the border—taking 140,000 American jobs with them since NAFTA started—because of fewer environmental regulations and because they can pay laborers "pennies."

"They all use the excuse they have to compete globally, except all the companies who are doing this are all multi-nationals and they seek the lowest standards."

Comparing Mexican wages to Americans' wages and, more importantly, to corporate profits, "makes me sick," Kaptur said.

Employees at Fremont's Eveready earned \$12 to \$18 an hour, with the average worker earning around \$13, Eveready spokesman Keith Schopp said.

Various sources place the typical Mexican wage between 80 cents and \$1.50 an hour, which Kaptur called "hunger wages."

Fremont's closing will create a "small number of incremental jobs" in Mexico, but it is too early to determine the number, Winte said.

"There is no question that the average wage in the U.S. is higher than the average wage in Mexico or outside countries, but that was one of many factors the company considered," Schopp said.

"The main reasons are the U.S. market is moving away from carbon zinc batteries and we need to consolidate production for the Western Hemisphere."

Eveready already has moved production from Brazil, Argentina, Colombia and Ecuador into the existing Eveready plant near Mexico City, which employs 900 people, Schopp said.

U.S. Rep. Paul Gillmor, R-Old Fort, said he found it "disturbing" that local production was going to Mexico, but added he does not blame NAFTA.

Americans were complaining about jobs going to Mexico long before NAFTA began reducing tariffs and other trade barriers, he said.

NAFTA has eliminated a 20 percent duty on American products shipped to Mexico and a 10 percent duty on Mexican products shipped to the U.S., Gillmor said.

"I don't want to see these jobs or any other jobs go to Mexico, but the idea that because the Mexicans had to lower tariffs it has hurt American jobs defies any logic," he said.

Gillmor said NAFTA has had little impact in the Fifth District, which includes Sandusky County. His 1996 poll of 124 firms, employing 17,000 people, found that 72 percent reported no impact on business by NAFTA. Eighteen percent said NAFTA had helped their business and 10 percent reported it had been detrimental.

A local business expert, Richard Smith of the Sandusky County Economic Development Corp., said American companies moving to Mexico is a trend related to NAFTA.

"Personally I think these are short-term solutions," Smith said. "In the long run, quality will suffer. . . . They are leaving behind quality labor when they do that."

Kaptur could not agree more.

"We have had dozens of closings in Ohio already," Kaptur said, listing Goodyear and Allied Signal as examples of movers to Mexico.

" . . . I say to them, 'You sell your product there and don't send it back here. We are not interested.'"

EL PASO LEADS THE NATION IN NAFTA-RELATED JOB LOSSES

EL PASO, TEXAS (AP).—El Paso, once a garment-industry stronghold, has lost more jobs than any other U.S. city since the North American Free Trade Agreement went into effect in 1994, U.S. Department of Labor statistics show.

In El Paso, 5,623 jobs have been lost. Coming in second is Washington, N.C., which has lost 3,400 jobs because of NAFTA.

El Paso mayor-elect Carlos Ramirez said the losses show the city needs to give selected industries strong incentives to come to the city and stay.

"Our economic development areas have to be in jobs where not only we have an economic advantage but also where we have an economic multiplier, such as international trade, light manufacturing and high-tech," Ramirez said.

No figures are kept on jobs created by NAFTA in El Paso. But Ramirez said that from January 1994 to January 1997, El Paso's total number of jobs grew by 13,200 to 236,500.

NAFTA lowered trade tariffs among the United States, Canada and Mexico beginning in 1994. The Labor Department's numbers cover job losses attributed to trade with Canada and Mexico from January 1994 until April 30, 1997.

Nationwide, the Labor Department counts 124,616 NAFTA-related job losses, 45 percent of them from work moving to Mexico. Most of El Paso's NAFTA-related layoffs occurred when companies closed plants and moved operations to Mexico.

The majority of NAFTA layoffs, 77 percent, were in the garment industry. Some analysts said the industry was moving production out of the country before NAFTA anyway.

"El Paso concentrates on men's blue jeans, men's shorts, basically men's clothing, which is very standard. And that is the easiest thing to move offshore," said Raul Hinojosa, director of the North American Integration and Development Center at the University of California at Los Angeles.

Unlike the garment industry, the trucking industry has benefited from NAFTA. More than 500 trucking jobs have been created in El Paso in the past year alone.

When the Labor Department certifies jobs as lost because of NAFTA, the displaced workers become eligible for government-paid retraining.

Armida Arriaga, 56, worked in the El Paso garment industry for 18 years. In May 1996,

she lost her job as a seamstress at Tex-Mex Sportswear when the company moved work to Mexico.

"I've used the NAFTA benefits, I'm studying English like others. But I'd prefer to have a job," she said.

Arriaga's benefits, which have included unemployment pay and paid retraining, come to an end in August and she's worried she will not have learned enough by then.

"I'll have to find work, and in sewing there aren't many jobs any more," she said. "That was my profession. I have little hope they'll take me."

Some efforts are under way to extend NAFTA benefits for displaced workers: a worker's advocacy group, La Mujer Obrera, is pushing for bilingual training programs.

U.S. Rep. Silvestre Reyes, D-El Paso, is proposing \$12 million for NAFTA's Transitional Adjustment Assistance program. Budget disputes in Congress have so far kept the proposal off the next budget.

TRIBUTE TO MRS. BERTHA MUSICK OF CLARK CENTRAL HIGH SCHOOL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia [Mr. KINGSTON] is recognized for 5 minutes.

Mr. KINGSTON. Mr. Speaker, in 1973 two significant education-related events occurred in my life. No. 1, Clark Central High School teacher Bertha Musick retired after 37 years of teaching. Mrs. Musick had taught social studies, science, and English in elementary school, junior high school, and high school, but during my time in high school she was known as the 11th grade teacher in that feared and hated subject of grammar.

On the 12-year bumpy road to a high school diploma, Bertha Musick was the gatekeeper. If you could not pass 11th grade grammar, you could not get a diploma, and Mrs. Musick did not give away any freebies.

I, along with most Athens, GA, kids, started hearing about Mrs. Musick's 11th grade class as early as in the 9th grade. Pray you do not get her, it is the hardest class at Clark Central, the upper classmen would warn us, yet nothing could be done to prevent it. Student placement and teacher selection was done in some dark, secret chamber far beyond the influence of watchful eyes of 16-year-old students. What would I do if I got Mrs. Musick?

The luck of the draw was such that I did get Mrs. Musick, and I guess from her perspective, she got me. My deepest fears were realized: How was I, a mere average kid, going to live up to her high standards? My first task was to know all of her many ground rules. She was known as a strict no-nonsense instructor; no talking, no napping, no note-passing, and never forget your grammar book. I did all these things, and because I knew she was not going to change, I would have to.

Mrs. Musick, let me say this now if you are listening: I only tonight feel comfortable in confessing that I did forget my grammar book once, and it was one of the most dramatic days of

my junior year, but somehow you never noticed. But I can promise you this, it only happened one time. My game plan was to try to fit in as a quiet, even smart student. I decided that I could get by being unnoticed and not rocking the boat, stay under the radar screen.

But I soon found I had a problem, because in the 1970's in Clark Central High School students in each grade were divided by ability. They were four groups. I know the board of education had more suitable terms, but for us kids the four groups were known as the smart group, the medium smart group, the medium group, and the dumb group.

The smart group contained all the future doctors, lawyers, mechanical engineers, accountants, miscellaneous egg-heads, National Merit Scholars, and professors' kids. You see, Athens, GA, is a college town. All the University of Georgia professors' kids were in the smart, advanced placement class.

Actually, Mr. Speaker, I, too, am a professor's child, but through some genetic defect I inherited none of the accompanying brains. I was in the average group. But early in 1971, through some quirk of the board of education, I was put into the dumb group. I had never been in this group before, and it bothered me greatly. How did this happen? What strange alignment of the stars put me in this place?

Not knowing what to do, I stumbled into the guidance counselor's office; another great lady, Mrs. Hackey. I asked for her advice. In short, she told me the decision to transfer would be made by Mrs. Musick. My heart sank.

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She will think I am dumb. She will not have anything to do with me. Teachers like that think less of you, not more of you. A week passed, and I still lacked the nerve to talk to her. Finally I could not stand it.

I caught Mrs. Musick after class one day. "You see, Mrs. Musick, I have already read a lot of these books that we are supposed to be reading, and I just think I would be better off in the medium class."

She replied, "There is no room in the medium class. Besides, you have a conflict with algebra. What about the advanced group?"

Was she joking? The advanced, that was where all the real smart kids were like Richard Royce and Alice Cooper and David Bowman, certified geniuses from way back, kids who made 1500 on their SAT score and played with slide rules when the rest of us were fiddling around with Etch-a-Sketch. I stammered, "Well, not that much of a leap."

"Do you want to stay in the class you are in now?" I dreaded the thought.

She looked at me and said, "I think you can do it." Now, was not this a surprise? Teachers like this do not give students like me a break. This was

strange indeed. A teacher I feared and fretted about giving me a promotion, based on speculation. No one had ever done this for me. I had had plenty of good teachers. I liked plenty of them, and they liked me. But no one had ever gone out on a limb on my behalf.

Then something even more wonderful happened. If Mrs. Musick thought I could do it and she believed in me, maybe I could do it and maybe I could believe in myself also.

Mr. Speaker, this inspiration given to me by a schoolteacher over 25 years ago always has stuck with me. I transferred to the new class and got to work. I doubled my efforts, my enthusiasm for learning. I did not want to let the other kids know I did not really fit in, and I sure did not want to let Mrs. Musick down.

During the Christmas holiday, I worked on my term paper for the winter quarter. I read "For Whom the Bell Tolls", "Thanatopsis", "Tess of the D'Urbervilles", "Red Badge of Courage", "The Last Leaf". I ended up the year making A and B's, mostly B's, but B's never felt so good. But above all, I was in the advanced class in everything else, algebra, science and history.

What else can I say about the woman who made this possible? She was strict but she was clear. She gave us the rules. We understood them and we followed them, and we if we did not, punishment was sure and swift. There was no pink slip, no parent-teacher conference or gray area. Fairness and certainty were her trademarks in discipline.

On her subject matter, she was passionate. No sentence has been constructed that she could not diagram. Infinitives did not get split and participles did not get dangled on her watch. In fact, I am still a little afraid now, if she is watching, she will catch all my mistakes.

On literature there was none so devoted. One day it snowed, and in Athens, Georgia a snow day to students was worshipped like manna from heaven. No school. While all of the students rushed to the hills for sledding, Mrs. Musick later confessed she could not wait to get back to a good book or two, and with good reason.

She was intimately acquainted with Fitzgerald, Thoreau, Emerson, Huxley, Whitman, Oliver Wendell Holmes and company. She was their peer and they were her friends. Once Lewis Nix suggested Hemingway partied too much in Key West. Mrs. Musick neither confirmed nor denied this but took us all to a higher plane with her admonishment, "Do not talk about one of America's greatest authors in such fashion. He went through a lot in the war." A classy way to handle such a statement. Her love of literature was contagious and many Clark Central students left with reading as a lifetime hobby.

I will close with this. I still do not know what Thanatopsis means, but I do know what the poem was about. I traveled with Hemingway to Mount

Kilimanjaro, spent some time with Thoreau at Walden Pond, dined with Fitzgerald and Gatsby at West Egg and wept with Oliver Wendell Holmes on the Gettysburg battleground. As they have become immortal, so has Mrs. Musick.

How many students like me left her class with a lifetime habit of reading and yearning for knowledge or even an appreciation of grammar? Our lives live on in the influence that we have on others, and Mrs. Musick's legacy is indelibly etched on thousands of Athens, Georgia kids. I am blessed to have had her and forever better for the experience. I am sorry for those who did not.

I started out, Mr. Speaker, saying there were two significant things that happened in Athens, GA. One, Mrs. Musick retired. The other, Jack Kingston graduated. After 12 years of study, I walked down the aisle with my diploma, a product of lots of classroom hours and homework and wonderful teachers like Mrs. Bertha Musick.

The SPEAKER pro tempore (Mr. BOB SCHAFFER of Colorado). Under a previous order of the House, the gentleman from Texas [Mr. EDWARDS] is recognized for 5 minutes.

[Mr. EDWARDS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from North Carolina [Mrs. CLAYTON] is recognized for 5 minutes.

[Mrs. CLAYTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. HEFNER] is recognized for 5 minutes.

[Mr. HEFNER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina [Mr. ETHERIDGE] is recognized for 5 minutes.

[Mr. ETHERIDGE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

ON SUPPLEMENTAL APPROPRIATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California [Ms. ROYBAL-ALLARD] is recognized for 5 minutes.

Ms. ROYBAL-ALLARD. Mr. Speaker, as a Member of Congress representing parts of Los Angeles, I am acutely aware of the devastating impact natural disasters have on human life. The Northridge earthquake, for example, not only destroyed homes and parts of communities but lives and people's livelihood.

In response, Congress acted to ease the misery of these victims by quickly appropriating much-needed disaster assistance. By so doing, Congress sent a clear message to these victims that they were not being abandoned by their government and we gave them hope that they would be able to rebuild their lives. Congressional response to the Northridge earthquake represented the Federal Government at its best.

Today, 83 days after the President asked Congress to pass legislation providing desperately needed funds for families suffering the aftermath of the recent floods, these victims are still waiting for Congress to help them in their time of need. Their cries for help fall on the deaf ears of the Republican majority who insist on using the disaster relief bill as a vehicle to ram through an unrelated political agenda which the President has said over and over again is unacceptable.

Despite the President's warning of a veto, the Republican majority put their interests ahead of the interests of the flood victims and included unrelated provisions, knowing the bill would be vetoed. These Republican machinations represent government at its worst. Yes, the issues of the continuing resolution and the census should be considered by this House. But those are separate issues.

Our first and most immediate responsibility is to give help to those who are suffering the ravages of the floods. North and South Dakotans, Minnesotans, northern Californians and Ohio River Valley residents want and deserve to rebuild their lives. They want and deserve to have peace of mind and a modicum of security. They need help to relocate their businesses, repair damaged roads and clear their farms in time for planting.

Yet the Republicans keep placing their political agenda ahead of the needs of these victims. Such game playing is untenable when lives and livelihood are at stake. I call on the majority to do the right thing and immediately remove objectionable extraneous provisions from the emergency supplemental appropriations bill. Send President Clinton an emergency supplemental appropriations bill he can sign. Send the flood victims the relief they so desperately need and deserve.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Michigan [Ms. STABENOW] is recognized for 5 minutes.

[Ms. STABENOW addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.]

PASS THE EMERGENCY SUPPLEMENTAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine [Mr. ALLEN] is recognized for 5 minutes.

Mr. ALLEN. Mr. Speaker, a few moments ago I told my wife I was coming

to this Chamber to talk on the supplemental appropriations bill. And she said, why do they not just pass a clean supplemental bill? Why do they not do it? There are flood victims out there who are waiting for relief. Why do they not do it?

I think that those who have been following this issue over the last few weeks are asking the same question. Why do we not have a clean supplemental appropriations bill? Because clearly there are people in need.

The Republican leadership's failure to pass a clean supplemental appropriations bill has today prompted a Presidential veto. It is not surprising. The President made his position perfectly clear. That Presidential veto is denying our people at home the resources they need to rebuild their lives. Moreover, it is denying our troops in the field the resources they need to carry out their mission. The supplemental appropriations bill provides \$5.8 billion to individuals in 33 States hard-hit by disasters. It also provides \$1.8 billion to peacekeeping efforts in Bosnia and southwest Asia.

Eighty-three days ago, that is when the President asked this Congress for a disaster relief bill, 83 days ago. Since then the Republican leadership has been persistent in forging ahead with a relief bill that is so loaded down with extraneous and harmful positions that frankly that guaranteed the veto. I do not believe that many people around this country understand that position. Why are we loading up this bill?

I can guarantee you, I do not think a disaster relief bill, if it came to this House pure and clean, disaster relief only, it would pass without a single dissenting vote. The Members in this Chamber want disaster relief. Civic leaders from Grand Forks, ND, and East Grand Forks, MN, and from numerous other communities have cried out that disaster relief is critical and that every day a disaster bill is not enacted is one more day that Americans are denied the necessary resources to rebuild their communities.

I am also holding letters here from Secretary of Defense Cohen and the Chiefs of Staff of the Army and the Air Force which describe the effects on the military of the Republicans' failure to pass a clean bill. Training is curtailed. Maintenance is delayed. Rotations are canceled. Inventories are drained. Our soldiers, sailors, marines, and airmen need a clean supplemental bill.

Mr. Speaker, there is a time for partisan politics and a time to set it aside. But when Americans are hit by a natural disaster, we must act together and act quickly. The American people and American troops need our support. We must do our job, and we must do it today. Let us pass a clean supplemental appropriations bill to support our troops in Bosnia and our people at home.

There are two provisions I want to mention quickly in that bill that ought to be stricken. One is a provision that

would prevent, permanently would prevent the U.S. Census Bureau from using statistical sampling in trying to determine how many people in the year 2000 live in this great country. Statistical sampling. Everyone in this Chamber knows what that means. Every one of us do polling. Every one of us knows that you cannot find out how many people live in a community by knocking on doors and counting. It is a very inefficient way to do it. You need something else, and statistical sampling is the way to go and do it.

The Department of Justice under the Carter administration, under the Bush administration, under the Clinton administration has made it clear that statistical sampling is constitutional and appropriate as a way of determining the size of the population.

Second, there is another provision in here that needs to go. That is a provision that sounds good on its face, which would prevent a Government shutdown, but in fact it removes the incentive for this Congress to pass a budget. We do not need another obstacle to passing a budget. We need to get down to business and do it.

Mr. Speaker, to delay any longer is irresponsible. Playing with other people's lives is wrong. I urge my colleagues to pass a clean disaster relief bill. Only a clean bill will provide the disaster relief necessary and the resources our troops need in Bosnia and southwest Asia in order to do their jobs. Eighty-three days ago the President asked us for disaster relief and we passed a bill that was guaranteed to draw a veto. It is time to get serious, time to pass a clean bill.

Mr. Speaker, I include for the RECORD the following:

DEPARTMENT OF THE AIR FORCE,
OFFICE OF THE CHIEF OF STAFF,
Washington, DC, June 3, 1997.
Memorandum for the Secretary of Defense
From: HQ USAF/CC, 1670 Air Force Pentagon, Washington, DC 20330-1670
Subject: FY97 DoD Contingency Supplemental

I understand that quick passage of the Supplemental may be in jeopardy. The purpose of this memorandum is to make you aware of the impacts of delayed passage (beyond June) on Air Force day-to-day operations.

The Air Force is currently cash flowing over \$700 million in support of Bosnia and SWA operations. We are doing so out of third and fourth quarter funding but are fast running out of flexibility and must soon take very dramatic action to avoid incurring an anti-deficiency in our O&M appropriation. On or about 1 July, Air Force commanders must begin taking the following kinds of actions:

Severely curtail or cease non-flying training—skill and proficiency levels reduced, e.g., weapons maintenance.

Severely curtail or cease flying training—squadrons and wings stand down—aircrew readiness degraded.

Cease all non-mission critical travel.

Defer further depot maintenance inductions—aircraft grounded.

Terminate benchstock fills—aircraft spares and consumables inventories drained.

Park non-mission critical vehicles.

Place moratoriums on all but safety related facility maintenance, including runway repair.

Impose civilian hiring freezes.

I know you are aware of the importance of this issue. We are well beyond the point where we can avoid serious disruption to Air Force operations if there is no supplemental. Timing is now critical.

RONALD R. FOGLEMAN,
General, USAF, Chief of Staff.

U.S. ARMY,
THE CHIEF OF STAFF,
Washington, DC, June 3, 1997.

Hon. WILLIAM S. COHEN,
Secretary of Defense, Washington, DC.

DEAR MR. SECRETARY: I need your assistance in expediting the Bosnia Supplemental currently on the Hill. In early April, I advised Congress that in the absence of supplemental funding or the clear assurance that such funding would be forthcoming, I would be forced to begin actions in early May that would result in a degradation of readiness. I have not initiated the planned actions to deal with the lack of supplemental funding because the progress made had convinced me that supplemental funding would be forthcoming.

Recent developments indicate passage of the supplemental may be at risk. This puts the Army in the position of having to provide fourth quarter resource allocation to the field without having supplemental funding in hand. We have a fiscal responsibility to ensure that the allocation of fourth quarter resources is done within current limitations. There are several actions presently under consideration to cope with this situation. Each will have direct readiness and quality of life implications. Actions include the cancellation of Army participation in JCS exercises, Combat Training Center (CTR) rotations, home station training, weapons qualification training, and the deferral of some real property and depot maintenance. Some of these actions could carry over into the next fiscal year. For example, canceling home station training in the fourth quarter of this fiscal year could impact on CTC rotations in the first quarter of FY 1998.

We continue to monitor the supplemental very closely. As the situation develops, the Army will initiate any and all actions necessary to train and operate within the means available to us.

Very Respectfully,
DENNIS J. REINER,
General, U.S. Army, Chief of Staff.

THE SECRETARY OF DEFENSE,
Washington, DC.

Hon. C. W. BILL YOUNG,
Chairman, Subcommittee on National Security, Committee on Appropriations, House of Representatives, Washington, DC.

DEAR BILL: I want to thank you for your action to date on the FY 1997 Bosnia/Southwest Asia Supplemental request, but I want to share with you my concern and that of the Service Chiefs about the impact on operations and training if the supplemental is not approved soon.

In my testimony and discussions with Congress, I have emphasized the need for early action on the supplemental. Based on its likely passage by Memorial Day, few actions were taken by the Department to offset supplemental costs. However, since our request was not approved last month, the Chiefs of Staff of the Army and the Air Force have renewed their concern over the possibility of delayed passage of the supplemental. I have enclosed copies of recent memoranda from them. To ensure that their overall operations are properly funded, the Chiefs have indicated that they cannot risk being left

with no options for funding Bosnia/Southwest Asia costs if the supplemental is delayed much longer.

I remain hopeful that quick action can be taken on the supplemental to preclude the disruptive impact to the Department's programs, especially those related to maintaining our readiness capability.

Sincerely,

BILL.

IMPORTANT ISSUES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Vermont [Mr. SANDERS] is recognized for 5 minutes.

Mr. SANDERS. Mr. Speaker, as the only Independent in the House, let me raise a few issues which I consider to be terribly important but which unfortunately do not get discussed all that much here in the House Chamber. For a start, I think maybe the most important issue as a country that we have to wrestle with is to what degree is the United States of America today a vital democracy.

□ 2100

Sounds like an easy question. We have the right to vote. But, really, to what degree are our people involved in the political process? To what degree do people have faith and expectations of the political process?

Mr. Speaker, I would remind my colleagues that just 4 years ago, in 1994, the gentleman from Georgia [Mr. GINGRICH] and his friends took over the House of Representatives. We had an election in which 38 percent of the people voted. Sixty-two percent of the American people did not vote. And in that election and, today, we continue to have, by far, the lowest voter turnout of any industrialized nation on Earth.

Why is that? And why do we not discuss this issue? Why is it that millions of low-income people no longer participate in the political process, no longer believe that this Congress deals with issues or makes decisions which are relevant to their lives? Why is it that young people, in leaps and bounds, no longer pay attention to what goes on politically and do not believe that the political process is relevant to their lives? We do not talk about that issue, and I think it is important that we do.

And I think the answer is twofold. First of all, I think there is a great deal of discontent with the two major political parties, and I think that millions of Americans think that both political parties end up representing the wealthy and the powerful.

Second of all, even deeper than that, I think there is a growing belief that real power does not lie within the political process; that it almost does not matter who gets elected, which party controls Congress or State legislatures, but real power rests elsewhere.

In my State of Vermont and throughout this country we see large corporations saying, well, we would like to pay less in taxes within our city or within

the State, and if the lawmakers do not give us a tax break, we are going to move to another State or, more likely, we will move out of the United States of America. And what does a mayor or a Governor do or a legislature do under that scenario?

It does not matter what party controls the legislature. Essentially, what people understand is that real power rests with the people who have the money. And if the people who have the money are not pleased, do not get the tax breaks that they want, they are going to move elsewhere. When that happens, people say, why should I vote, it does not make any difference. Politicians really do not have the power.

So I would argue that this country faces a major political crisis. During the 1960's the Beatles were talking about what happened if they started a war and nobody came, nobody fought in the war. My fear is that the day will come where we are going to have an election and people will not come out to vote.

In 1994, we had 38 percent of the people voting in the national congressional elections. Last year, when President Clinton was reelected, I believe we had about 49 percent of the people voting. My guess is the next national congressional elections, in 1998, we will have about 35 percent of the people voting, and the voter turnout will go down and down.

It is up to this institution, the U.S. Congress, to stand up and try to understand what is going on and figure out a way that we can reinvigorate democracy.

We talk a lot about education. Everybody agrees, conservatives and progressives, on the importance of education. But if we are not talking about education for democracy, the right of people to control their own future, what are we talking about?

The second issue I briefly want to touch on is the issue of the booming economy. Mr. Speaker, we cannot open a newspaper without hearing about how fantastic the economy is doing. Some of our Wall Street friends here say, my God, it has never been so good. We cannot imagine it getting any better.

Yet, when we look at the fine print which appears on page 68, somewhere beneath the sports section, we find that the real wages last year for the American worker was up 3.8 percent when inflation was about 3 percent. And if we know that the low-wage workers got a boost because of raising the minimum wage and the upper income workers generally do better, what we conclude is the average middle-class worker continues to see a decline, a drop in his or her real wages. The economy is booming, but the average American worker continues to get poorer. That has been going on for 20 years.

So I would suggest when we talk about a booming economy, let us look at the middle class and the working

class of this country. And then, my friends, the economy is not booming so much.

A CLEAN DISASTER RELIEF BILL IS THE RIGHT THING TO DO

The SPEAKER pro tempore (Mr. BOB SCHAFER of Colorado). Under a previous order of the House, the gentleman from Texas [Mr. LAMPSON] is recognized for 5 minutes.

Mr. LAMPSON. Mr. Speaker, I rise today to express my dismay over the continued mishandling of the disaster relief bill by the Republican leadership.

I represent a district along the gulf coast, and perhaps in several months, after a devastating hurricane, I will find myself in the same position as my colleagues, the gentleman from North Dakota [Mr. POMEROY] and the gentleman from South Dakota [Mr. THUNE]. I know that I would want disaster relief for my constituents in Galveston or Port Arthur or Texas City or Beaumont to be delivered as quickly as possible. Instead, my friends from the Dakotas have watched with what I can only imagine to be a combination of anger and disgust as certain factions within this body have played politics and political games with their aid.

I voted against adjourning for the Memorial Day recess so we could resolve this situation. I cannot imagine how my colleagues must have felt returning to sites of the flood devastation and trying to explain the holdup.

And yet, with great empathy for the flood victims, I felt that I had no choice but to vote against the disaster relief bill when it finally came to the floor.

The practice of attaching extraneous riders to disaster relief legislation may not be new, but as a freshman, it is the first time I had been forced and faced with such a dilemma. It is wrong. It should not be done.

Some of my colleagues have said it is the President playing politics. It is the House of Representatives playing politics and it is not right and should not be done.

I agree with Grand Forks, ND, Mayor Pat Owens, who said: "It is not fair to play with our people's lives and put amendments on to that bill."

The Governor of South Dakota, Bill Janklow, a Republican I might add, refused to put his name on a letter to the President asking him to sign the bill. A Fargo-Moorhead Forum editorial described Janklow's refusal as, "putting the interests of flood victims ahead of partisan considerations."

I appreciate that the people of this area understand why we have been forced to vote against supplying them the aid they need and deserve. A clean disaster aid bill for the victims of the flooding in the Midwest is weeks overdue. It is the right thing to do.

Today, after the President's veto, there is still no clean bill. Mr. Speaker, I must ask why. People's lives are in the balance.

Mr. Speaker, I must also ask why we do not allow the extraneous provisions attached to the disaster bill to stand on their own. Are we afraid they will not stand up to the scrutiny of the committee process? If these are good ideas that will benefit the American people, let them stand alone. If these extraneous provisions have a broad base of support among the American people, allow the Members of this body to consider them on their own merits. Attaching them to a disaster relief bill is cowardly.

I will briefly address just one of these provisions. In the 104th Congress, the House asked the Census Bureau to cut costs on the 2000 census. Followup analysis of the 1990 census done by the Bureau shows that our current method is resulting in an undercount. The National Academy of Sciences has told us a statistical technique called sampling will result in a more accurate count for the final 10 percent of Americans, those who do not respond to the questionnaires. The Census Bureau tells us the use of this technique will save them \$1 billion in conducting the 2000 census, almost 25 percent of their cost. The Republicans seek to ban a technique which scientists tell us is better and the counters tell us is cheaper.

Mr. Speaker, this does not add up. The fact that this is attached to a disaster relief bill is a red flag waving high in the sky. It is enormously suspicious, especially when given that a few years back, the gentleman from Georgia, Mr. GINGRICH, specifically requested sampling to be used in his own State.

Mr. Speaker, one side of this debate has been up front with the victims of this flood and one side has made them pawns in a political game. The Fargo-Moorhead Forum newspaper concluded on Sunday morning and I quote again: "Republican leaders in Congress continue to play outrageous political games with the lives and futures of Red River Valley flood victims."

How true and how sad it is.

A clean disaster relief bill is the right thing to do. Mr. Speaker, let us get it done.

WHAT IS A PERCEPTION'S REALITY?

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida [Mr. SCARBOROUGH] is recognized for 5 minutes.

Mr. SCARBOROUGH. Mr. Speaker, I have been listening to this debate on TV and decided to come over and get involved a little bit. I heard the Beatles' name brought up earlier, and listening to this debate, I am reminded of another Beatles' line out of Strawberry Fields Forever. "They say living is easy with eyes closed; misunderstanding all you see." And then of course the hook is all about how nothing is real in Strawberry Fields.

Well, nothing is real in this debate either. It reminds me so much of what

happened over the past couple of years where we had Medicare come up first, and how we Republicans hated our grandmothers and senior citizens because we wanted Medicare to increase at 7.2 percent but the President and the Democrats, who loved our grandparents so much more than us, wanted it to increase at 7.3, 7.4 percent.

Today, I think we voted on the bill in Ways and Means where it passed something like 30 to 3, a similar bill to what so many people were attacking before.

Now it is flood victims. It was also children. We hated children because we only wanted the School Lunch Program to go up 4 percent instead of 6 or 7 percent.

Now we are talking about flood victims, talking about how we want to hurt the flood victims. Of course, as happened during the Government shutdown when the President vetoed bill after bill after bill that we sent him, what people did not recognize was that it was the President who was vetoing the bills. It was the President who vetoed this bill today.

So the President, of course, was handed a wonderful, wonderful issue. It was put in his lap. And I have to wonder how we Republicans keep stepping into it and making these mistakes, but we do because we actually think that we should debate on the merits instead of on political points.

Which brings me to point two. The fact is that this crisis has been created for political purposes. What we do not hear is the fact that FEMA is funded, at least through this month. And we also saw in an AP report about a month ago, when this debate first started coming up before the Memorial Day break, when the President needed an issue, what he did, because the agencies were funded through this time period, he actually pushed up, he forward-funded, according to the AP articles, requirements so he could say, gee, these people are not getting their money.

So the President pushed the dates up for funding so he could create a political crisis, and that is what he did. And so now the President can get out and once again be compassionate and be the one that loves flood victims when Republicans supposedly hate flood victims.

So let us keep a list now. It is senior citizens, it is young children and it is flood victims. I guess the Democrats believe a sucker is born every day.

I can tell my colleagues that I constantly have hurricane victims in my district. I understand how this situation works, and certainly I feel compassion for the people that have been suffering this crisis.

In another area that, again, maybe nothing is real, or maybe as Henry Kissinger says, "In politics, what is a perception's reality," we keep hearing people say just give us a clean bill, just let us fund the flood victims, that is all we really need, when, in reality, if somebody would pick up the New York

Times this morning and read in the New York Times that this so-called clean flood bill, where we needed \$750 million to actually fund the flood victims, ended up being an \$8.4 billion monstrosity.

Now, I want to know where were all these self-righteous people when these emergency parking garages were being put in this bill; when, according to the New York Times article, we threw in, as "an emergency funding" a theater, with theater renovations. And they went and asked the guy who owned the theater, is this theater really an emergency, and he said, well, we had a couple of pipes that leaked last year.

The fact is that we have shoved, these same people who are now screaming give us a clean bill were the same people, both sides, Republicans and Democrats, that were shoving as much stuff into this so-called emergency appropriations bill as they could. And yet now they come back and they whine about how they need a clean bill. Well, that did not seem to concern them that much before.

Also, we shoved in money for apple orchardists. I guess they were so shocked and stunned by the visions they saw on TV that they were not able to attend to their apple orchards. Maybe that requires funding in this emergency appropriations bill.

If we read the New York Times article, we can see that these arguments about how they just want a clean bill is disingenuous. Everybody has gathered around the table and thrown all they could on there.

Finally, we should talk about what this issue is all about. It is about a continuing resolution issue, where we wanted to avoid letting the President do what he did before, vetoing appropriation bill after appropriation bill, and then coming out and going I will not let the Republicans do this, that, or the other.

□ 2115

Again, it is disingenuous. This CR is the only way we ensure that we continue funding FEMA and other agencies at 100 percent without the President vetoing these bills time in and time out, without using flood victims for political purposes.

I say, let us get to the facts of the matter and let us stop using the flood victims as political pawns.

DISASTER ASSISTANCE BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota [Mr. MINGE] is recognized for 5 minutes.

(Mr. MINGE asked and was given permission to revise and extend his remarks.)

Mr. MINGE. Mr. Speaker, I represent the Second District of Minnesota. It is a district that contains almost the entire length of Minnesota River. Minnesota River flows through a broad valley. I think for many, it is known as

the Valley of the Jolly Green Giant. It is very productive, it is lush, and it is noted for the table vegetables that have been grown there over the past several decades.

In the valley there is a narrow river that winds back and forth and oxbows and normally is very placid. But occasionally it becomes a raging torrent. In 1997, this river carried more water than it ever has since the area was settled, over 100 years ago. The record water levels resulted in flooding in numerous communities, starting in Ortonville at the head of the river as it flows out of Big Stone Lake, required the evacuation of the community of Odessa. Tributaries flooded in Appleton, Dawson, MN. Montevideo, MN, my home community, was on the evening news for the first time in the history of the community repeatedly because of the efforts of the volunteers to try to stop the damage by sandbagging, building dikes.

Their efforts were successful except for one neighborhood which could not be saved and could not be diked. Downstream, Granite Falls built dikes. It was largely spared the ravages of the flood. North Redwood Falls was affected, however, and a few homes in the community known as New Ulm. This was all damage that was done, but fortunately we were spared the ravages of the communities on the Red River of the North.

People in my area felt quite fortunate, by comparison. The communities pulled together. Thousands of volunteers came from neighboring towns from the urban areas, and a real spirit of cooperation and goodwill prevailed. I can tell you that partisanship was certainly absent in this undertaking.

The people also were impressed with the activities of the Federal Emergency Management Agency, or FEMA, and the Army Corps of Engineers, both of which had a very substantial presence, and the National Guard troops that were mobilized and came in. I held a series of informational meetings on the disaster programs that were being established, the ones that were in place. The FEMA officials, the Army Corps of Engineers, the State agencies, U.S. Department of Agriculture agencies all came and participated in these meetings.

It appeared that we would have a disaster assistance program that would both be effective in addressing the needs of the communities and the residents and would be promptly available. Unfortunately, as the days wore on, it also emerged that partisanship would be a part of the picture.

In an effort to pass legislation that the leadership in this body and the other side of the building knew would be unacceptable to the President, they begin to beat the drums about how important certain riders were. And unfortunately, I concluded that what was happening is that this disaster assistance bill was being hijacked for other purposes. Proposals that could not be

passed separately would not be accepted by the President were being shoehorned into the disaster assistance bill in hopes that the President could be brow beaten or embarrassed into signing them.

Well, we know what happened. The President vetoed the legislation. I am not here this evening to say that we have to point fingers at the leadership in the House and the Senate or criticize the President. The fact of the matter is, all of us knew that this legislation as it left Congress was on a collision course with the White House.

It is very difficult for me to tell people at home that the political process is consumed with politics and that we cannot deliver the type of assistance that has become a consensus package for disaster assistance. It is awfully difficult for me to explain to people why it is that controversial riders have to be attached to this legislation. I cannot explain it. I voted for it. I wanted to see it passed. But it was unacceptable.

The previous speaker said the money is in the pipeline. Do not worry. I would just like to briefly point out that although FEMA is well funded, the community development block grant program for relocation assistance is hanging in abeyance. People in businesses do not know what level of relocation assistance will be available, whether it will be available. Precious construction days are slipping by.

Similarly, the livestock indemnity program is in limbo and a number of other programs are simply not being addressed. I would like to urge, I implore the leadership of Congress to promptly send to the President a clean bill so that we can provide the assistance that has been long promised and is badly needed by the victims of this flooding in the upper Midwest.

EMERGENCY RELIEF SUPPLEMENTAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland [Mr. HOYER] is recognized for 5 minutes.

Mr. HOYER. Mr. Speaker, I appreciate the opportunity to address the House and particularly to respond to the gentleman from Florida [Mr. SCARBOROUGH], who spoke and who since left.

Mr. SCARBOROUGH made the point that Republicans, he said, were perceived as not liking children, not liking senior citizens, and now not liking flood victims. I do not know whether that is the case. Maybe that is his feeling and his concern. He also observed that both sides of the House have added things to emergency relief bills in the past and cited a New York Times article, which I have not read but which I know to be true.

That is the case. There is always the time when a bill that should pass and most of us believe must pass and be signed, in this case the belief for those

who have been ravaged by rains and flood and who are at risk and what this Nation wants to help. Everybody believes this bill ought to pass and it ought to pass quickly.

But lest my colleagues or anybody else be confused that this is the regular course of business, let me reflect a little bit on history. It took just 15 days to provide the assistance that President Bush asked this Congress to give for the victims of Hurricane Andrew. We are now in the 83rd day.

It was not that President Bush and the Congress, then led by Democrats, controlled by Democrats, agreed on everything. That was not the case. But what President Bush and the Democratic Congress did agree on was that it was our responsibility to pass that emergency relief in a timely fashion, 15 days, as opposed to the 83 days that this bill has languished in this Congress.

And why does this bill languish? Why does a bill that everybody said should pass and must pass not pass? It is, Mr. Speaker, because the leadership of this House and the leadership of the Senate has determined that they want to stare down the President, that they want to muscle the President, that they want to leverage the President, and they have taken hostage the victims of the floods of these past months in order to accomplish that objective.

My colleagues have heard the issues discussed. There are two principal ones. One is called a continuing resolution and it is put forth by the Republicans in this House and in the Senate as an effort to prevent government shutdown.

Mr. Speaker, I represent 56,000 Federal employees. I am for preventing government shutdown. In point of fact, it was in the last Congress for the first time since I have been serving since 1981 that we consciously and purposefully shut down the Government.

The Republican leadership said in April of 1995 they were going to do that. They reiterated that in July of 1995. And sure enough, on November 19, 1995, they shut down the Government, looked the President in the eye, and said, if you do not do it my way, we will do it no way.

That is not what the people sent us here to do. They sent us here to work together. The fact of the matter is that when we did work together, we passed appropriation bills and we opened the Government after 2 long shutdowns consciously planned by the Republican majority to force the President to do something that he said he was not going to do. That never happened when the Republicans were in control in the 1980s and the first 2 years of the 1990s and Democrats controlled this Congress.

Were there differences? Yes. Did the Democrats try to get advantage on the Republican President? Yes. But did there come a time when they said that they would not move, that they would be immovable in the face of presidential opposition? The answer is no.

When President Clinton asked for relief for the Midwest floods just in the last Congress, it just took us 29 days, less than one half of the time that this bill has languished in this House and in the Senate. The other issue that the Republicans talk about as being a must add to the emergency relief for flood victims is this sampling issue. It is all about politics, because Republicans have been quoted as saying, "If we allow sampling and the count that will result, we will find poor people, we will find minorities, and we are afraid that they will vote for Democrats and that will be to our political disadvantage."

So the Speaker of the House, who two years ago said that he thought sampling made sense and ought to be pursued has changed his position. And who suffers? The victims of the rain and the floods are held hostage as this political dispute is engaged.

Mr. Speaker, a number of us have risen on this floor tonight, a number of us are rising throughout this city and talking to the press, talking to the public, and talking, yes, to our colleagues. We have a budget agreement. We sat down and for 5 months worked out a very tough problem. I supported it. That is the proper process, not to hold hostage, either Government employees or flood victims or some other group and say, we will hold their relief in abeyance if they do not agree with us.

Yes, Mr. Speaker, we urge the leadership of this House and the Senate to bring to this floor a clean, continuing resolution, relief for flood victims, support for our troops in Bosnia and around the world. Pass that, the President will sign it. We can pass it by 12 noon tomorrow and the President will sign it by tomorrow afternoon. That is what we ought to do. Let us be about the business of giving relief to the victims of these floods.

REPUBLICANS PLAY POLITICS WITH DISASTER RELIEF BILL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey [Mr. ROTHMAN] is recognized for 5 minutes.

Mr. ROTHMAN. Mr. Speaker, what would my colleagues think of someone who stood by watching while a neighbor's house was burning down? What if that person refused to call the fire department for help unless he or she got something in return? We would not think much of that person.

□ 2130

Yet that is exactly what the Republican majority in Congress is doing with the flood victims in North Dakota as well as the victims in 35 other States.

The President of the United States and many of us in Congress have been trying to pass a \$5.5 billion disaster relief bill for these families. But the Republican majority, much like they did with the government shutdown last

year, is putting extremist ideology and partisan political maneuvering ahead of the relief for these needy people. Instead of giving these families the needed relief that they so very much deserve, they are holding the disaster relief bill hostage by trying to attach highly partisan legislative riders that have nothing to do with disaster relief. They know that these highly partisan extremist Republican riders would never pass the Congress if voted on separately. So what did they do? In very cynical judgment, the Republican leadership decided to tack these partisan riders onto a disaster relief bill, saying in their own political calculus, well, maybe we will embarrass the President of the United States into vetoing this, or maybe he will be so embarrassed he will not veto it and then we will get these partisan goodies for us, the Republican party.

They underestimated President Clinton who said loudly and clearly that he would not be put in the position of having the Republican majority hold these victims hostage and let them get away with it. The Republican majority would have to put forth a clean disaster relief bill. Otherwise, he would not sign it. If they want a debate on these other partisan issues, fine, let us debate them in the Congress. If they are right, we will pass them. If they deserve support, we will support them.

Last week, the Republican Senate majority leader is reported to have said that he would happily provide more trailers for these disaster victims to stay in while they, the Republicans, try to wear down the President to get their legislative goodies. If such reports are true and those remarks were in fact uttered, they are morally reprehensible. Such a position is unfair to these needy American families. Thousands of American citizens are homeless. They just lost all of their worldly possessions and are sleeping in shelters. They await Federal disaster relief funds to finance the rebuilding of their homes and their cities and helping each other in times of need. Is that not the essence of what it means to be an American, being part of the American community?

If the Republicans really believe that their highly partisan political riders are worthy of support, they should remove them from the disaster relief bill and have the Congress take them up separately once the disaster bill, the clean disaster relief bill, has been passed by the House tomorrow. Then we will take up whatever riders they want.

I urge my colleagues and my friends on the other side of the aisle to tell their leadership, the leadership of the Republican party, to stop playing politics with the lives of these thousands and thousands of disaster victims. Put forth a clean disaster relief bill. We will pass it in Congress. Our President will sign it. And let us help these people. Then we will take up your political stuff.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. BOB SCHAFER of Colorado). The Chair must remind all Members that under the rules and precedents of the House, it is not in order to cast reflections on the Senate or its Members individually or collectively.

NAFTA IS A FAILURE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentleman from Illinois [Mr. LIPINSKI] is recognized for 60 minutes as the designee of the minority leader.

Mr. LIPINSKI. Mr. Speaker, I come to the floor tonight deeply concerned, deeply concerned about our failed trade policies, deeply concerned about the plight of American workers, deeply concerned about the future of America.

Four years ago in this Chamber we had a long, long debate on NAFTA. NAFTA proponents pushed hard for its passage. They promised that NAFTA would create 200,000 American jobs. They warned that NAFTA was critical to the American economy and that American jobs depended on its passage.

After 40 months under NAFTA, we can clearly see that the reality is vastly different. The reality is that NAFTA worsened our trade balance with Mexico and Canada. Since NAFTA went into effect, our \$10 billion deficit with Canada turned into a larger \$23 billion deficit. Our \$1.7 billion surplus with Mexico slid into a \$16 billion deficit. Our growing trade deficits with Mexico and Canada mean that we are buying more than we are selling. It means that American jobs are being lost.

The reality is that 90 percent of the companies that promised to create jobs have not. Allied Signal, General Electric, Johnson and Johnson, Mattel, Procter & Gamble, Zenith and Exxon. The list goes on and on and on. They promised NAFTA would create American jobs. In a sense, they signed a promissory note to all the working men and women of America. The note was a promise that working Americans would be better off with NAFTA.

It is obvious today that these multinational corporations have defaulted on this promissory note. NAFTA is a complete and utter failure for working Americans.

Four years ago, in 1993, we all heard the mantra of 200,000 jobs over and over again. Guess what? It is now 1997 and we have lost an estimated 400,000 jobs. This is a net loss. It is a staggering sum. Bear in mind that this is not just another number. There are real people behind the statistics, real people with real families and real problems.

In their blind devotion to free trade, NAFTA proponents lost all contact with reality, and in so doing sacrificed 400,000 American jobs at the altar of free trade.

Some folks want to expand NAFTA to Chile and other Latin American nations. I am absolutely shocked. Can

they not see what they have already done? It is plain to see that NAFTA has failed. Yet these blind free trade advocates want to extend it to other nations. How many more American jobs do we have to lose before these people come to their senses? NAFTA is a broken trade agreement. It is an agreement that just does not work.

If we continue to use this framework for future relationships with Chile and other Latin American countries, it will make a lousy situation even worse. The working men and women of America have suffered enough.

Mr. Speaker, I am thinking today of the working men and women of America, men and women who are proud to give a fair day's work for a fair day's pay, men and women who work hard to put food on the table and clothes on the backs of their children, men and women who struggle to make their mortgage payments, men and women who work longer hours for less. I am thinking today of the people who make up America. I am talking about Main Street, not Wall Street. I am talking about people who care about Medicare, Social Security, crime and education, not leveraged buyouts, not corporate takeovers, and not stock splits.

I am talking about people who put in a full day's work, attend PTA meetings, go to church, work a second job, and still see their family incomes fall, while CEOs sit in their boardrooms and watch stock quotes with the knowledge that they will get their raises anyway.

I grow tired of hearing empty promises, lofty oratory and abstract economic theory. I want to see results. I want to see the jobs they promised us. Instead, I see the 400,000 American jobs that were lost. Instead, I see a trade surplus slide into a huge trade deficit. Instead, I see broken promises.

Unfortunately, for us the bottom line is that these huge multinational corporations focus only on the accountants' bottom line. To them American workers are an afterthought. I see a mentality where gold is God today, and that deeply concerns me.

Mr. Speaker, when I graduated from high school in 1956, the world was a much different place. Thanks to the policies of FDR and the efforts of the organized labor movement, there was a burgeoning middle class in America. The New Deal especially brought a higher standard of living to American working men and women. Jobs were plentiful, workers were treated well and people were happy and optimistic about the future. The American dream was alive and well.

Nowadays the average American worker changes jobs several times during the course of a lifetime. Jobs are scarce and people are insecure about the future. Pessimism and cynicism rule the day. Things have really changed in the last 4 decades. Where has the American dream gone?

I understand that the world has evolved. It is a world economy now, and we cannot shy away from that. But

we must make the world market our market. We must make it work for all Americans, not just the multinational corporations who care only about the bottom line. We must make it work for the plumber in Chicago, the fisherman in Maine, the assembly worker in Detroit and the taxicab driver in D.C.

Let us rebuild the American dream for working men and women. Let us begin by establishing free and fair trade relationships with foreign nations and ensure they play by the same rules as we do, rules that cover labor, environmental and human rights issues that must be included in core trade agreements, not as an afterthought.

We must treat these issues as importantly as businesses treat intellectual property rights and rule of law. We must level the playing field and get away from the "gold is God" mentality that some folks cling to so fervently.

Let us put people before profit. What happens to the American middle class happens to America. Let us do all we can to make sure that the working men and women of this country can live out the American dream.

As I mentioned earlier, there are proposals now to expand NAFTA to other countries, such as Chile. To do that, they will need Congress to grant the administration the authority to negotiate trade agreements and submit them to Congress under expedited procedures for an up-or-down vote.

Article 1, section 8 of our Constitution vests Congress with an extremely important responsibility, and that is the responsibility to regulate commerce with foreign nations. It is our responsibility to the American people as well as to the people of the world to enter into fair, responsible trade agreements that respect labor, the environment and human rights.

Proponents of free trade argue that placing such restrictions on trade is counterproductive. The rallying cry of laissez faire economists may be tempting to the ignorant and the blind, but not to those who remember and understand our history.

Let us not forget the numerous social upheavals, economic crashes and depressions that the U.S. has experienced. Let us not forget the lessons learned through those times that government regulation has played a vital and necessary role in the free market. Do we so quickly forget that it was because of government intervention that the social abuses of the late 19th and early 20th century were ended, child labor, sweatshops, starvation wages, widespread pollution and atrocious working conditions?

□ 2145

Thanks to the government and labor unions, we were able to stamp these abuses out.

Some folks have been misled into thinking that government regulations must be bad. History is supposed to provide us with valuable lessons. How quickly some forget.

Mr. Speaker, NAFTA is a failure. It failed because it put profits before people, multinational corporations before families. It failed because NAFTA does not adequately address industrial relations, the right to strike, the right to organize and the right to freely associate. It is clear that Mexican workers do not enjoy the same level of labor rights as we do here in America.

To make a bad situation worse, their wages are essentially capped under an agreement known as el pacto, and a large number of owners also privately set minimum and maximum wages so that they do not compete for workers on this basis.

All of these factors combine to create a downward pressure on wages in Mexico. Since NAFTA began, the wages and living conditions of Mexican workers have not improved. In fact, the exact opposite has occurred. They have declined. The percentage of Mexicans considered extremely poor rose from 31 percent in 1993 to 50 percent in 1996. Real manufacturing wages have declined 25 percent since NAFTA went into effect. Environmental conditions have deteriorated. Instead of moving into the 21st century, they are sliding back to the dark ages.

The unfortunate end result of all this is that Mexican workers are viewed simply as a source of cheap labor by multinational corporations, which creates a serious problem for us in America. With a large pool of cheap labor a short distance away, multinational corporations have a great deal of freedom and incentive to move manufacturing facilities to Mexico, and fewer environmental regulations there means even more money saved. Moving production to Mexico results in low overhead which means higher profits for corporations.

Here is a case in point. During the NAFTA debate in 1993, Zenith Electronics Corp. denied the report that they would transfer all of their production facilities to Mexico as a result of NAFTA. On the contrary, Zenith said NAFTA offers the prospect of more jobs at the company's Melrose Park, IL facility. Needless to say, Zenith announced late last year that it was laying off 800 of its 3,000 workers at the Melrose Park facility.

Not only are companies moving their facilities to Mexico, leaving hundreds of thousands of hard-working Americans in their wake, it is now commonplace for them to use it as a threat. They use it as a scare tactic in order to undermine the efforts of workers to improve their wages, benefits and working conditions through collective bargaining.

A recent Cornell University study found that a significant number of companies threatened to move work to Mexico as part of their efforts to intimidate workers who want to unionize. I find it morally reprehensible to resort to such tactics. It undermines the legal right of American workers who want to form unions. It

undermines the basic right of American workers who want to provide a better living for themselves and their families.

Proponents of NAFTA touted it as a win, win, win situation. It sure has been a win, win, win situation. It is a win for big business in Mexico, it is a win for big business in America, it is a win for big business in Canada. It is the working families who lose.

Mr. Speaker, this is an important and complex issue. As the world economy becomes increasingly interwoven and trade continues to grow as an important part of our national economy, we must ensure that we enter into trade agreements that are fair and equitable to the American worker. We must evaluate trade relationships from this perspective. As such, we have got to take a long hard look at NAFTA and what it has done to the working men and women of America. We must think about granting fast track authority to the administration and what it will mean for the American middle class. We should closely examine the arguments for the expansion of NAFTA to Chile and other Latin American nations.

As the gentleman from Michigan, DAVID BONIOR, noted, there are more people in this Congress who voted against NAFTA 4 years ago than voted for it, and many of those who voted for it say they would never vote for it again. The evidence against NAFTA is growing, and it is becoming just too hard for folks to ignore.

Mr. Speaker, I would now like to yield to the gentleman from Vermont [Mr. SANDERS] who is going to engage me in a colloquy about NAFTA trade and numerous other issues that affect the American working man and woman. Mr. SANDERS.

Mr. SANDERS. Mr. Speaker, I applaud the gentleman's remarks, and I especially congratulate him for focusing his thoughts on what is happening to ordinary working people rather than just the very wealthy and the very powerful.

One of the aspects of modern life which concerns me very much is that when we turn on the television or we read the newspapers, as you well know we hear about the booming economy; do we not? We hear about how some Wall Street folks tell us that the economy has literally never been better in our lifetimes, and they wonder just how long it will continue to be so good.

And then I go back to the State of Vermont, and I talk to working people from one end of the State to the other, and I say to them tell me about the booming economy. And what they say is, BERNIE, I am working two jobs or three jobs, and my wife is out working long hours just to pay the bills. So we do not have too much time to consider the booming economy. We are just working hard to keep our heads above water.

And the reality is, according to the official statistics, that in the midst of

all of this great boom, what is going on for the average working person? Well, I do not hear this too much. Yes, we know recently, we read recently, that the CEO's of major corporations are now earning over 200 times what their workers are making, so we can see for the CEO's, the chief executive officers of major corporations, things are booming. That is true.

And we also read recently that compensation for the CEO's last year was 54 percent higher than the previous year. We concede that too. If you are a CEO of a major corporation, I guess the economy is booming.

But when you read through the fine print, you find that for the average American worker last year, wages went up on average by about 3.8 percent. Inflation is about 3 percent. And we know that low-wage workers got a bit of a boost because we raised the minimum wage a little bit. We know that the higher income workers generally do better than the middle-class workers.

So you add it all together, and what you discover is that in the midst of this great boom the standard of living of the average middle-class worker continues to decline, and if the standard of living of working-class people declines today in the midst of a boom, I wonder very much what will happen when our boom ends, as it is sure to end.

I am also concerned that in the midst of all of this so-called boom, the United States continues to have, by far, not even close, the most unfair distribution of wealth and income in the industrialized world. We do not talk about that too much; we do not see this too much on the corporate media's television stations or in the newspapers, but the facts are pretty clear. The wealthiest 1 percent of the population now owns over 40 percent of the wealth of America, and the richest 1 percent owns more wealth than the bottom 90 percent, and we have the greatest gap between the rich and poor of any other country in the industrialized world.

What kind of boom is that? We know that during the last 20 years, while we have seen a significant increase in millionaires and billionaires, 80 percent of all American families have seen either a decline in their net income or, at best, economic stagnation. In fact, adjusted for inflation, the average pay of four-fifths of American workers plummeted 16 percent in 20 years. Twenty years ago in the United States of America, as you well know, the United States led the world in terms of the wages and benefits we provided our workers. We were number one. And now in the midst of the great boom, we are down to 13th place.

In Germany, for example, manufacturing workers there earn over 25 percent of what manufacturing workers in the United States earn. In 1973 the average American worker earned \$445 a week. Twenty years later, with inflation adjusted dollars, that same worker was making \$373 a week. People today

are working far longer hours than they have to, than they were 20 years ago. So you are seeing people working two jobs, three jobs, over time, women who would prefer to be home with their kids being forced to work in order to pay the bills.

Where is the boom for the middle class or the working class of this country? It is not there. And one of the reasons, as you so aptly pointed out in your remarks, is the disastrous and failing trade policy which this country is currently experiencing. And in my opinion it is not just NAFTA, it is GATT, it is Most Favored Nation status with China, it is the huge trade deficit that we have.

And as I think you indicated, the issue is not too complicated. If an American company is forced to choose between paying an American worker a living wage of \$10 or \$15 an hour providing decent benefits, having to protect the environment, or run to Mexico where you can get a good worker there for 70 or 80 cents an hour, you do not have to worry about the environment, you do not have to worry about unions, what choice is that employer going to make? And the evidence is pretty clear, the choice that that employer made, which is why we have lost hundreds of thousands of jobs.

So I would just say as we begin our discussion here, I know in my State of Vermont, and I suspect throughout the country, there may be a boom, but it certainly is not applying to the middle class or the working families of my State.

Mr. LIPINSKI. I appreciate the gentleman's remarks, and I want to say that we do not necessarily agree with everything that this man had to say, but for me one of the highlights of the last presidential election was when Pat Buchanan was running, and he was running on the issue of insecurity, the economic insecurity of the American middle class, the American working class. He spoke about it a great deal, he articulated it very well, and he forced President Clinton and Senator Dole to talk about it also. And I think they got wide dissemination; a lot of the media picked up on it. Unfortunately, when he went out of the race, President Clinton stopped talking about it, Senator Dole stopped talking about it, and the issue has just drifted away.

And I say to you, you know, I do not understand why the issue drifted away. It is the most significant, important issue facing this Nation today.

I said that when international communism ceased to exist, the Cold War was over and we were in an economic war. And by that, I meant a war to improve the standard of living of the American working and middle class, and to me, I believe we are losing that war, we are losing it more each and every day, each and every week, each and every month, and no one in this Nation, other than a very few voices, seem to have anything to say about it.

What is your opinion on that?

Mr. SANDERS. I think you raise a very, very important point, and I tell you that it is a very—the theme that you are talking about suggests to me very frightening and dangerous times, and this is why.

The average worker reads in the paper that the economy is booming; right? That things are going well? And he says to himself or herself: What is the matter with me? Everybody must be doing well except me. My wages have gone down, I do not have health care, I cannot afford to send my kids to college, I am working longer hours, and I do not see it on the paper. So it must be me; right? I must be the only person in America who is suffering economically.

And as you indicate, of course, it is the vast majority of the people who are hurting.

Now you raised the question: Why is it not talked about?

□ 2200

Well, let me offer the gentleman a suggestion on another issue equally important that we also do not discuss. Where do we get our information from?

Mr. LIPINSKI. From the news media.

Mr. SANDERS. Yes, we turn on the television. Let us look at that for a moment. Who owns NBC? Well, General Electric Corp., one of the largest corporations in America. The gentleman mentioned them, among others.

Mr. LIPINSKI. Yes, I did.

Mr. SANDERS. General Electric is one of the companies who is busy running to Mexico, I think they have been investing in China, they have laid off significant numbers of workers. They come before this body every day trying to figure out a way not to have to pay taxes, leading the efforts against organized labor.

Well, great shock of all shocks. NBC does not have a feature on the decline of the middle class. They do not talk about it too much. O.J. Simpson, we can get thousands of hours. Every airplane crash that ever happened, we can see the great visuals. But the fact that the average American worker has seen a decline in their standard of living, struggling just to keep their heads above water, somehow that story, gee, they just did not get it.

Well, what about ABC? We flip the dial and maybe ABC will give us the story. But who owns ABC? Why, that is the Disney Co. The Disney Co. is busy running to China, they are in Haiti, they are paying people in those countries pennies an hour to produce products that come back into America. I do not recall seeing too many features on their station about the trade issue, or about the exploitation of Haitian or Chinese workers. I do not recall that.

Maybe we will go to CBS, we will get a better story. Well, I guess not. That station is owned by Westinghouse, or maybe we will go to the Fox network that is owned by that strong, progressive Rupert Murdoch worth many billions of dollars. No, I do not think we will see it there either.

So I would argue that one of the reasons that the American people are not seeing the pain of their lives being reflected in the media is that the media is owned by very large multinational corporations, many of whom are taking our jobs to Mexico and China, and the media would rather, what is the word, obfuscate, perhaps, rather give us a lot of entertainment and game shows and soap operas rather than discuss with the American people the important issues, and that would be one reflection I would have on the gentleman's question.

Mr. LIPINSKI. Mr. Speaker, that certainly is a very interesting reflection. I will have to take that under consideration and I will certainly do that, and perhaps I will come to the same conclusion that the gentleman has come to.

But I want to say that I admire the fact that the my colleague the gentleman from Vermont [Mr. SANDERS] and the gentleman from Michigan Mr. BONIOR] and the gentleman from Oregon [Mr. DEFazio] and the gentleman from Ohio [Ms. KAPTUR] and the gentleman from New York [Mr. OWENS] and a number of other people come down here on Tuesday night and try to get this message out to the American people. I think it is a wonderful effort and I applaud my colleagues for it. I am very happy to participate with the gentleman from Vermont [Mr. SANDERS] tonight in that effort.

But I have to say to the gentleman in all candor, we need to get a much bigger microphone. We have to have these conversations amplified significantly, I believe, in order to have any real impact on this Nation. I believe that we have to find ourselves a presidential candidate who is willing to articulate the issue about economic insecurity in this Nation, because I do not think there is any other way we can once again get this issue back to the front burner, make the American people aware of the fact that we know what their problem is.

There are some people willing to jump into this battle and try to aid and assist them, but I think the only way we get them motivated, mobilized, is by having someone running for President in this Nation who is going to articulate that issue.

I ask the gentleman his opinion on that.

Mr. SANDERS. Mr. Speaker, I think that would be of enormous importance, and I think as the gentleman knows, I am an Independent.

Mr. LIPINSKI. And I am not asking the gentleman to support anyone here tonight.

Mr. SANDERS. Mr. Speaker, one of the reasons that I am an Independent is that I feel that to a large degree, both political parties are dominated by big money interests and it would be very hard for that candidate who is prepared to stand up to the large multinational corporations who have so much influence over our economy and

over the politics of what goes on, it is no great secret.

I mean as the gentleman well knows, we hear a whole lot of discussion about the influence of big labor on the political process, the gentleman is aware that corporate America puts in seven times more money than labor does.

Mr. LIPINSKI. Absolutely.

Mr. SANDERS. Mr. Speaker, the gentleman is aware that when we talk about NAFTA or MFN with China that there is a massive lobbying effort going on by corporate America trying to influence the Members of this body. They will put ads in newspapers throughout this country telling everybody how good these trade policies are. Whether or not the two-party system can give birth to a candidate who is prepared to take on these moneyed interests I frankly have my doubts.

But one of the things that does concern me is that what does go on here in this body is, instead of addressing the real issue of the fact that in many ways this Nation is becoming an oligarchy dominated by a relatively few large corporations and wealthy individuals, instead of recognizing that reality and trying to deal with it and develop policies which address that problem, what we see is a lot of scapegoating. What we see is black being played off against white, native versus immigrant, gay versus straight, everybody against everybody, rather than figuring out how we can come together as a people to try to address the difficult problems that the gentleman articulated about the global economy, can we create, with all of this new technology, every day we hear about the information highway, right, how important the computers are.

Well, if all of that stuff is so valuable, as I expect that it is, why are we not seeing increased wealth going to the middle class and the working class? Why are we not seeing people working fewer hours rather than longer hours? Why are we not seeing more people covered by health insurance rather than fewer? Why do we have by far the highest rate of childhood poverty in the industrialized world? Why are we in the process right now, as some would have us, cutting Medicare by \$115 billion, lowering the quality of health care for our senior citizens?

So the issue becomes how do we come together as a people, black and white, immigrant and native born, woman and men, gay and straight, all of us come together and say how do we create decent jobs for our people rather than seeing jobs going to China where workers are being paid 20 cents an hour? How do we use technology to lower the workweek rather than to put American workers out of their jobs?

We are not doing that. We are not addressing that. I think the reason is that we need to begin to come up with some of the answers to those questions by challenging big money interests and to a large degree, and my feeling is in this body it is almost an issue people

feel uncomfortable talking about. We are just not allowed to talk about the power of the wealthy.

Mr. LIPINSKI. Mr. Speaker, that seems to be the case. A lot of people are very uncomfortable talking about it. I am a capitalist. I believe in the free market system. But I also believe that an economy should be run for the benefit of the overwhelming majority of the members of that society, and that really should be the principle that guides us in all the legislation we put forth here, in the other body, in legislation that the President signs into law. Do what is best for the overwhelming majority of the American citizens economically and in every other way.

It may sound very simplistic, and perhaps it really is. But that is the way the country should be governed; that is the way the legislation should come forward. Unfortunately, the longer I am here, the less and less I believe that is happening.

So I would say to the gentleman, I would like the gentleman to conclude if you have any concluding remarks. I am finished for the evening. I hope to be back next Tuesday, but does the gentleman have anything to say in conclusion?

Mr. SANDERS. Mr. Speaker, I would just certainly agree with the gentleman that clearly the task of Congress is to represent the vast majority of the people and not just the very few who are wealthy and powerful. But I think that that is very often not the case.

Let me just point out one example of that in terms of tax policy. In fact, we are debating that right now in terms of the budget that was recently proposed by the gentleman from Texas [Mr. ARCHER], which would give huge tax breaks to the wealthy while at the same time we would cut back on Medicare, certain Medicaid programs and very significantly, by the way, on veterans' programs.

In terms of tax policy what has gone on in this country people should know that from 1977 to 1990, the Social Security tax was raised nine times, and today, people are paying, if one is self-employed, one is paying 15 percent before one pays any income tax and a FICA tax. And yet during that same period, while taxes on working people through the FICA tax went way up, taxes for the wealthy and the large corporations went way down, and the Federal Government ended up collecting significantly less money, which helped cause us the deficit problem that we are trying to address right now.

I would just conclude by saying that the gentleman is absolutely right in suggesting what I think the vast majority of the people would agree with at a moment's notice, and that is the function of this institution is to represent the overwhelming majority of our people who are not wealthy, who work hard, who are struggling to keep their heads above water.

Unfortunately, that is not the case now. The people have the money, have enormous power and enormous influence over this institution. What I would hope is that in the towns and cities all over this country, people begin, must begin to get involved in the political process, must study the issues. What is our trade policy? Is it working? Is it not working? Why is it that we have such an unfair distribution of wealth? What about our tax system? Does it favor the corporations and the wealthy, or the middle class and working families?

I would hope that ordinary people begin to study the issues, get involved in the issues, and play a much more active role in the political process, because God only knows, we certainly need their strength and their energy in order to influence what goes on here.

I thank the gentleman very much for allowing me to join him in this special order.

Mr. LIPINSKI. Mr. Speaker, I appreciate the gentleman joining me tonight.

AMERICAN HERITAGE RIVERS INITIATIVE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 7, 1997, the gentlewoman from Idaho [Mrs. CHENOWETH] is recognized for 60 minutes as the designee of the majority leader.

Mrs. CHENOWETH. Mr. Speaker, I am here tonight to talk about the White House and its Council on Environmental Quality's latest flight from democracy, embodied in the so-called American heritage rivers initiative.

Mr. Speaker, there are many, many things that are wrong with the American heritage rivers initiative. But tonight I would like to focus on just three of those things. Its procedure, States' rights and water rights, and the separation of powers.

The initiative purports to establish a mechanism by which President Clinton will designate as American heritage rivers 10 rivers per year. It establishes undefined, fictional governing entities known as water communities. These governing water communities will then determine the scope and the size of the designation area, which can include the entire watershed. There are no safeguards for a D designation and no safeguards for private property owners within the area who object to this inclusion in the designation.

I will discuss this in detail later, but first, just before Memorial Day district work period, the Council on Environmental Quality, an unauthorized agency existing on misappropriated funds, I might add, published the American heritage rivers initiative in the Federal Register. It is in the May 19, 1997 volume, page 27253, and I urge my colleagues to read it.

Although CEQ has in the past been the primary overseer of the National Environmental Policy Act process, in

this instance CEQ appears to have totally abandoned NEPA's threshold requirements. As the administration knows very well, an environmental impact statement, an EIS, is required any time a major Federal action significantly affecting the quality of the human environment is contemplated. When CEQ proposes to control our Nation's waters, this, Mr. Speaker, is a significant action. Yet, to my knowledge, CEQ has not even bothered to address NEPA's threshold question.

Where is the environmental assessment? How about an EIS, or, at the very least, the very barest recognition under NEPA of finding of no significant impact?

□ 2215

But nothing from the administration. Mr. Speaker, what CEQ has given us is a mere 3-week public comment period, the May 19 date of publication to the June 9 closing of the public comment, with no NEPA documentation.

The Administrative Procedures Act, the APA, applicable to any agency action, requires a minimum of 30 days' public comment period. In general, unless there is an emergency, NEPA's environmental impact statement requires a 90-day public comment period. Yet, here CEQ blatantly violates its own rules and the rules and requirements of the Administrative Procedures Act and offers a mere 3-week comment period.

I am not aware of an emergency. Why the rush? This violates the Administrative Procedures Act and totally ignores the National Environmental Policy Act. Fortunately, Mr. Speaker, the gentleman from Alaska [Mr. DON YOUNG] of the Committee on Resources and the gentleman from Oregon [Mr. BOB SMITH] of the Committee on Agriculture, along with myself and other resources subcommittee chairmen, sent a letter to Katy McGinty strongly advising CEQ to extend the comment period to at least another 90 days. She would have been wise to follow our advice. I entered that letter into the RECORD here on Wednesday, June 4.

Additionally, I am aware of no fewer than 35 other Members making similar extension requests of CEQ. It would certainly be in the best interests of everyone involved in CEQ if that agency would extend the public comment period, and I urge them to do so.

Mr. Speaker, CEQ's comment period closed today. Today I have yet to hear if its counsel has decided to extend its comment period to even the legally required minimum. I read a news account of how baffled CEQ is by the concerns we have raised. Perhaps if the comment period were extended, enlightenment might follow.

The chairman of the Committee on Resources, the gentleman from Alaska [Mr. DON YOUNG] has also called an oversight hearing for June 26, 1997 in our committee. I have at least a glimmer of hope that we will then have some of our questions answered, but I will not hold my breath.

The last procedural point I would like to point out, Mr. Speaker, is that CEQ has responded to some of these concerns by claiming that the American Heritage Rivers Initiative is not a program, but some other hybrid that does not require a rule. Indeed, CEQ officials have stated that this initiative did not even require a publication in the Federal Register, and to this I say, wrong, absolutely wrong.

Procedurally, I would like to point out that the law, the United States Code that even CEQ is bound by, defines a rule as the whole or part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the organization, procedure, or practice requirements of an agency.

Mr. Speaker, despite CEQ's claims, this so-called initiative is indeed an agency statement of general applicability and future effect designed to implement and describe the organization procedure and practice of an agency. As they say, Mr. Speaker, if it walks like a duck, if it talks like a duck, and swims like a duck, then it must be a duck.

Mr. Speaker, the American Heritage Rivers Initiative is indeed a duck. It is, without a doubt, a rule within the meaning of 5 U.S.C. section 551(4), and is therefore an agency action subject to the procedural requirements under the Administrative Procedures Act; also, under the National Environmental Protection Act. Again, where is the NEPA documentation? Where is the adequate public comment?

Last, the newly enacted congressional review of Agency Rulemaking Act, 5 U.S.C. section 801, et al., requires that the Federal agency promulgating such a rule shall submit to each House of the Congress and to the Comptroller General a report.

To my knowledge, this has not been done. Why? Because CEQ claims that it is not a rule. Again, Mr. Speaker, if it walks like a duck. Procedurally, Mr. Speaker, this proposed American Heritage Rivers Initiative is a disaster, procedurally.

The next issue I would like to discuss is the issue of States' rights and water rights. This necessarily implicates private property.

Mr. Speaker, as I said last Wednesday, one of the reasons for America's strength and meteoric rise is because of the wise use of her rivers and waterways for irrigation, travel, recreation, power, flood control, and all other uses. Through the wise use and allocation of water, America has literally turned our deserts into gardens and a once inhospitable land into wonderful places to live and to recreate. In my State of Idaho, water is the absolute lifeblood of this State. We have more than 15,000 farmers and more than 3 million irrigated acres. That is larger than the sum total of many of the States. Nearly 40,000 individuals are employed in one way or another by agriculture.

Mr. Speaker, many people do not know this, but Idaho has a seaport. The Port of Lewiston and its two adjacent ports via the Snake and Columbia Rivers export 40 percent of America's grain exports to Asia. This is water barge transportation. Yes, Mr. Speaker, water is very important to the State of Idaho and to the Nation.

Mr. Speaker, Idaho's waters or waterways and reclamation projects help make Idaho the gem State. Water is in fact so important that the Idaho Constitution, as approved by Congress when Idaho entered the Union, expressly states that, "The use of all waters is subject to the regulations and control of the State."

Additionally, Idaho code, section 42-101, states:

All the waters of the State, when flowing in their natural channels, including the waters of all natural springs and lakes within the boundaries of the State, are declared to be the property of the State, whose duty it shall be to supervise their appropriation and allotment to those diverting the same therefrom for any beneficial purpose.

Clearly, water within the boundaries of the State of Idaho are, unless privately owned, property of the State of Idaho. How, then, can the Clinton administration designate something that is not the Federal Government's to designate? This is an assault on private property rights, States' rights, America's values, and certainly our Western values.

Quite simply, this initiative will simply replace the long-established and constitutionally protected policies that govern the use of our waterways which are critical to our economic survival, not only in the West but to the entire Nation. That is why, for the past century, the Supreme Court has held in case after case that in the West it is the States who control the use of water.

As I did Wednesday, let me quote from one of the seminal U.S. Supreme Court cases on this issue, the 1978 case entitled "California v. United States," written by Justice Rehnquist.

The Justice writes:

The history of the relationship between the Federal Government and the States in the reclamation of the arid lands of the Western States is both long and involved. But through it runs the consistent thread of purposeful and continued deference to State water law by the Congress. Indeed, to take from the legislatures of the various States and territories the control of water at the present time would be something less than suicidal. If the appropriation and use were not under the provisions of State law, the utmost confusion would prevail.

Mr. Speaker, this United American Heritage Rivers Initiative would create utmost confusion. How can the Clinton administration assert control over something that it clearly does not own, and so important to our State?

To make matters worse, this initiative is not just limited to the rivers. It redefines communities, watersheds, and jurisdictional boundaries. It creates a governing entity called the river

community, but what is a river community, Mr. Speaker? Who belongs to a river community? Do not believe for a minute that a river community will be made up only of people who make their living from and are dependent on our rivers.

Mr. Speaker, this fictional entity, the river community, will then define the area covered by the American Heritage River designation. They decide the length of the area, whether it be an entire watershed, the length of an entire river, or a short stretch of a river, and may cross jurisdictional boundaries, including State boundaries.

Apparently when it comes to rivers, the Clinton administration believes that it takes more than a village, it takes a river community. When someone sitting in New York City can appeal land management decisions in the West, such as a timber sale and grazing allotment plans, with a mere postcard, who is it that the Clinton administration will decide is a member of the river community? What interests will the members of the river community have? Also, how will the designation be made?

Watershed, as we all know very well, Mr. Speaker, can literally be from mountaintop to mountaintop, and include vast areas. What about private property inside these watershed areas? If a private property designation is being contemplated, will the private owner be able to protect and sustain his ownership right? No, he will not. I have learned, Mr. Speaker, through my inquiries that this designation could happen even over the objections of a homeowner, a shopowner, a farmer, a rancher.

What about State and local property? Mr. Speaker, an American Heritage River designation will further dilute local control and decisionmaking. It will do nothing but add another layer of bureaucracy that must be dealt with, another hurdle to overcome when an entity, the private landowner or the State, desires to utilize the land.

CEQ has argued that the designation carries no legal meaning. I disagree. The very designation creates yet another obstacle, legal or not, and yet another tool for the use by environmental extremists to stop the wise use of our lands. Mr. Speaker, the Supreme Court recognized the importance of water to the arid western United States. Why cannot the Clinton administration respect this supreme law of the land?

As the Supreme Court has stated in the case entitled "California v. United States" in 1978:

The legislative history of the Reclamation Act makes it abundantly clear that Congress intended to defer to the substance as well as the form of State water law * * * to do otherwise would trivialize the broad language and purpose of the Reclamation Act.

In other words, Mr. Speaker, the utmost confusion will prevail.

The final issue I would like to talk about tonight, Mr. Speaker, is the wisdom of our Founding Fathers as embodied by the doctrine of the separation of powers. As I learned it, the legislative branch creates the laws, the executive branch is to implement and enforce the laws, and the judiciary interprets the laws.

Yet the American Heritage Rivers Initiative was created and tendered solely by the White House and executed without congressional approval. When it comes to our resources issues, the Clinton administration has once again usurped the Congress' lawmaking authority. Nowhere in law can one find the American Heritage Rivers Initiative, nor has Congress conferred to CEQ the power to govern and control our rivers and watersheds.

This raises some very, very serious issues, going beyond who and how this program is authorized. But how is it paid for?

□ 2230

Since the American Heritage Rivers initiative has never been authorized by Congress, exactly which land and water program's funds were siphoned to prepare this proposal? How does the administration intend to continue funding this unauthorized project, if it is established?

CEQ has stated that this program is merely a coordination of existing and ongoing Federal programs. Yet the American Heritage Rivers initiative assigns a so-called river navigator, a Federal official, to the river community, the governing body, to help guide it toward Presidential designation. But I challenge the CEQ to show me where it is that the Congress has authorized a river navigator. And it would be foolish to believe that these river navigators work for free. Who authorized this position? Who appropriated the funds?

My concern, Mr. Speaker, is that funds needed forward on the ground management activities such as range-cons, engineers, biologists, and foresters are being misdirected from other legitimate and authorized programs. Similar to other so-called initiatives unauthorized by Congress, like the Interior Columbia River Basin Ecosystem Management Project, which comes to mind, it costs hundreds of millions of dollars to the American taxpayers and the administration is again operating ultra vires and is misusing taxpayer dollars.

This program is a misappropriation of time, of resources and the taxpayers' money. You can be assured, Mr. Speaker, that we will be addressing each of these three issues at the June 26 Committee on Resources meeting.

CEQ has stated that if any legitimate opposition were to surface against the designation, including opposition by a Member of Congress representing the proposed area, the proposal will not go forward. Pardon me, Mr. Speaker, but if this does not give me much comfort, do not be surprised.

For the RECORD, I oppose any designation of an American Heritage River in the State of Idaho or any place in this Nation. But I call the Members' attention to President Clinton's designation of the Grand Staircase-Escalante National Monument in Utah. Despite CEQ's protestations to the opposite, not one of the members of Utah's congressional delegation nor the Governor were informed of this pending action, which set aside nearly 2 million acres in the State of Utah plus a very, very valuable coal mine.

The Resources Subcommittee on National Parks and Public Lands, of which I am a member, held a hearing in which Senators HATCH and BENNETT, Utah Governor Leavitt, Secretary Babbitt and CEQ chairman Katy McGinty testified. In the face of both Utah Senators and the Governor, Chairman McGinty stated she informed them of the impending monument designation. Both Senators and the Governor clearly and unequivocally stated that they were not informed. At best, the administration acted without consulting the leaders of the State of Utah. At worst, President Clinton acted over the unified objection of that State.

Nonetheless, whether Utah's delegation knew or not is no matter, and I tend to believe the Senators and the Governor that they had no prior knowledge.

CEQ's promises that only a community that wants these designations are empty to me. Its promises leave me with very, very little comfort. The American Heritage Rivers proposal is just one in a string of Clinton administration attacks on natural resource policies in America and most especially in the West.

This is a nation of laws. But from the Utah Monument Ecosystem Management Projects to BLM's law enforcement regulations, this administration has demonstrated an absolute lack of regard for our Nation's laws and regulations, including requirements of the environmental laws.

Mr. Speaker, the administration has blatantly ignored Congress' lawmaking authority, and the American Heritage Rivers initiative is just another example. Take, for instance, Secretary Babbitt's attempted rewrite of 43 CFR 3809 pertaining to surface mining. Secretary Babbitt has stated publicly that he did not need the Congress' help to rewrite the mining law of 1872 but that he could do it administratively.

Mr. Speaker, we cannot allow the administration to ignore this body. Without a check on the executive branch, this Nation will continue down the road to chaos. And unless Congress asserts its constitutional responsibility, it is well on its way to becoming a toothless tiger, capable only of doling out the taxpayers' hard-earned dollars to fund big bureaucracies like the CEQ. Where are we with regard to the protection of property and States rights?

As James Madison wrote in Federalist No. 47, the accumulation of all pow-

ers legislative, executive and judiciary in the same hands, whether of one, a few or many, and whether hereditary, self-appointed or elective, may justly be pronounced the very definition of tyranny.

Mr. Speaker, in the name of separation of powers, in the vein of preserving Congress' lawmaking authority and for the good of our country, we must take a stand. We must draw a line and simply say no, we will not let you do that. We must say to the administration, you must act only within your designated authority.

Mr. Speaker, we are a nation of laws. As such we must all follow them, even the White House, but most especially all of us in government.

Tonight, I, along with a number of our colleagues, am introducing H.R. 1843. This bill will prohibit any funds from being spent by the administration on the American Heritage Rivers initiative. I urge the Members to join us on the Chenoweth-Pombo disapproval of the American Heritage Rivers initiative.

In closing, Mr. Speaker, I would like to respond to some comments made by CEQ's Katy McGinty. She is quoted by the Associated Press as stating that she is bewildered and perplexed by our opposition to the American Heritage Rivers initiative. She states that it is 100 percent locally driven. It is government acting purely in partnership with local communities.

To this, Mr. Speaker, I can only say she simply does not get it. When one sees a person in her position state that it is government acting in partnership with local communities, I have grave concerns. We do not want another Federal designation. We do not want a greater Federal presence, and we do not want enhanced Federal control over our waters.

This is not what this Congress is about. The spirit of this Congress is the revitalization of the 10th amendment, the empowerment of local communities and States, and the recognition that the Federal Government is one of limited and enumerated powers. It is not about another Washington, D.C.-created designation of our resources. It is not about yet another sphere of influence for Federal bureaucrats. And it is certainly not about a Federal Government partnership when the State and local communities are quite capable of governing themselves.

This Congress is about less government, self-determination and freedom. Freedom is still the issue. It is about States rights and property rights and the right of the people to be free of Federal entanglements. And the American Heritage Rivers initiative does not fit this bill.

Mr. Speaker, this issue is really about control, control over our rivers and watersheds. If the Federal Government wants control of the States' waters, then what is next?

If anyone thinks that this CEQ so-called initiative will be anything but a

tool of the environmental extremists, they had better think again. Just today I read that an organization dedicated to tearing out the dams and transportation waterways along the Snake and Columbia Rivers have already petitioned the White House to designate the Columbia River as an American Heritage River, which would end the water-based barge transportation, affecting hundreds of thousands of jobs, communities and families in the Northwest. No, this is an issue of control of the wealth and control of our people.

What is next, Mr. Speaker? Part 2, No. 2, calls for aerial and satellite surveillance of the rivers. Well, I ask myself, will I have to wear a number on my hat, on the top of my head, so that the Federal bureaucrats in Washington, DC, using aerial photographs, can monitor when I am out skipping rocks on the river with my grandchildren? What is next?

Yes, Mr. Speaker, this issue is indeed about control of our resources, our wealth and our people. It is sad.

As I discussed earlier, water is the lifeblood of America, of the West and of my State, Idaho. But it is not just control over water that is threatened by this un-American "make our backyard every bureaucrat's business" Heritage Rivers initiative.

Nothing less than private property rights and freedom from unnecessary and harmful Federal intrusion is at stake. Farmers, ranchers, fishermen, homeowners and others who live along rivers and deeply love their rivers may find themselves with diminished rights and reduced control over their property and their activities on the river.

Mr. Speaker, these people, the ones who know the river and depend on its health and preservation, should not lose their rights because Federal bureaucrats or Eastern environmentalists want to initiate a warm and fuzzy, politically correct Federal program or another Clinton photo-op.

State sovereignty, individual freedom, protection of property rights are the ideals that have distinguished this Nation, this great Nation. We do ourselves and all American citizens a disservice if we allow power to be usurped in this fashion.

I urge my colleagues to stand up against this ill-conceived and misdirected American Heritage Rivers initiative and to cosponsor the Chenoweth-Pombo bill.

Mr. Speaker, the imposition of the Clinton-Gore extreme environmentalist policies has taken a tragic toll on the West. We are losing our culture, we are losing our heritage, and we are losing the very way of life that we love so much. My good friend Perry Pendley sums up this feeling about the West in his book, "War on the West," when he writes, and I quote:

"The environmental extremists' vision of the West is of a land nearly devoid of people and economic activity, a land devoted almost entirely to the preservation of scenery and wildlife habitat. In their vision, everything be-

comes a vast park through which they might drive, drinking Perrier and munching on organic chips, staying occasionally in the bed-and-breakfast operations into which the homes of westerners have been turned, with those westerners who are able to remain fluffing the duvets and pouring cappuccino. They are well on their way to achieving their objective."

Mr. Speaker, I think Perry Pendley hit the nail on the head. Many people in the United States east of the Mississippi just view the West as one big national park, and the American Heritage Rivers initiative is just one more assault in a long line of programs designed to turn the West into a playground for the East.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FLAKE (at the request of Mr. GEPHARDT) for today and the balance of the week on account of official business.

Mr. FARR of California (at the request of Mr. GEPHARDT) for today and the balance of the week on account of a death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Mr. CAPPS) to revise and extend their remarks and include extraneous material:

Mr. GEPHARDT, for 5 minutes, today.
Mr. BONIOR, for 5 minutes, today.
Mr. PALLONE, for 5 minutes, today.
Mr. OLVER, for 5 minutes, today.
Mr. STRICKLAND, for 5 minutes, today.

Ms. JACKSON LEE of Texas, for 5 minutes, today.

Mr. SNYDER, for 5 minutes, today.
Ms. WOOLSEY, for 5 minutes, today.
Ms. KAPTUR, for 5 minutes, today.
Mr. LAMPSON, for 5 minutes, today.
Mr. EDWARDS, for 5 minutes, today.
Ms. CLAYTON, for 5 minutes, today.
Mr. HEFNER, for 5 minutes, today.
Mr. ETHERIDGE, for 5 minutes, today.
Ms. ROYBAL-ALLARD, for 5 minutes, today.

Ms. STABENOW, for 5 minutes, today.
Mr. ROTHMAN, for 5 minutes, today.
Mr. ALLEN, for 5 minutes, today.
Mr. SANDERS, for 5 minutes, today.

The following Members (at the request of Mr. PAUL) to revise and extend their remarks and include extraneous material:

Mr. PAUL, for 5 minutes, today.
Mr. JONES, for 5 minutes each day, on June 11 and 12.
Mr. PAPPAS, for 5 minutes, today.
Mr. FOX of Pennsylvania, for 5 minutes, today.
Mr. KINGSTON, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

The following Members (at the request of Mr. CAPPS) to revise and ex-

tend their remarks and include extraneous material:

Mr. BERMAN.
Mr. DAVIS of Illinois.
Mr. RANGEL.
Mr. OLVER.
Mr. FAZIO of California.
Ms. SANCHEZ.
Mr. SANDERS.
Mr. LANTOS.
Ms. ESHOO.
Mr. BOYD.
Mr. MORAN of Virginia.
Mr. FRANK of Massachusetts.
Mr. STOKES.
Mr. SABO.
Mr. MEEHAN.
Mr. KUCINICH.
Mr. PASCRELL.
Mr. SCHUMER.
Mr. RAHALL.
Mr. PAYNE.
Mr. HOYER.
Mr. TORRES.
Mr. BROWN of California.
Mr. STARK.
Mr. DINGELL.
Mr. FARR of California.
Mr. GEPHARDT.

The following Members (at the request of Mr. PAUL) to revise and extend their remarks and include extraneous material:

Mr. QUINN.
Mr. PITTS.
Mr. BURTON of Indiana.
Mr. STEARNS.
Mr. GILMAN.
Mr. COLLINS.
Mr. BONILLA.
Mr. DAVIS of Virginia.
Mr. SPENCER.
Mr. WALSH.
Mr. KNOLLENBERG.
Mr. GOODLING.
Mr. MCCOLLUM.
Mr. LEWIS of California.
Mr. DREIER.
Mr. RIGGS.
Mr. DOOLITTLE.
Mr. MCHUGH.

The following Members (at the request of Mrs. CHENOWETH) and to include extraneous matter:

Mr. SHERMAN.
Mr. ETHERIDGE.
Mr. COOKSEY.
Mr. LUCAS of Oklahoma.
Mr. WELDON of Florida.

SENATE BILL REFERRED

A Bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 610. An act to implement the obligations of the United States under the Chemical Weapons Convention; to the Committee on International Relations and in addition, to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned,

BILL PRESENTED TO THE PRESIDENT

Mr. Thomas, from the Committee on House Oversight reported that that

committee did on the following date present to the President, for his approval, a bill of the House of the following title: On June 9, 1997: H.R. 1469. An Act making emergency supplemental appropriations for recovery from natural disasters, and for overseas peacekeeping efforts, including those in Bosnia, for the fiscal year ending September 30, 1997, and for other purposes.

ADJOURNMENT

Mrs. CHENOWETH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 45 minutes p.m.), the House adjourned until tomorrow, Wednesday, June 11, 1997, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3693. A letter from the Administrator, Agricultural Marketing Service, transmitting the Service's final rule—Melons Grown in South Texas; Assessment Rate [Docket No. FV97-979-1 FIR] received June 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3694. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Imported Fire Ant; Approved Treatments [Docket No. 96-063-4] received June 5, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3695. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Viruses, Serums, Toxins, and Analogous Products; Revision of Standard Requirements for Clostridium Perfringens Types C and D Toxoids and Bacterin-Toxoids [Docket No. 92-090-2] received June 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3696. A letter from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, transmitting the Service's final rule—Viruses, Serums, Toxins, and Analogous Products; Definition of Biological Products and Guidelines [Docket No. 93-152-2] (RIN: 0579-AA65) received June 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3697. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Bifenthrin; Pesticide Tolerances for Emergency Exemptions [OPP-300495; FRL-5719-3] (RIN: 2070-AB78) received June 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3698. A letter from the Chief, Natural Resources Conservation Service, transmitting the Service's "Major" final rule—Environmental Quality Incentives Program [Workplan Number 96-004] (RIN: 0578-AA19) received June 2, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3699. A communication from the President of the United States, transmitting his requests for an FY 1997 supplemental appropriation and for FY 1998 budget amendments

that will adjust his pending budget requests to be consistent with the recently negotiated Bipartisan Budget Agreement between the President and the Leadership of Congress, pursuant to 31 U.S.C. 1107; (H. Doc. No. 105-95); to the Committee on Appropriations and ordered to be printed.

3700. A letter from the Director, Office of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Reservists' Education: Increase in Rates Payable Under the Montgomery GI Bill—Selected Reserve (RIN: 2900-AI54) received May 23, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on National Security.

3701. A letter from the Attorney-Advisor, Federal Housing Finance Board, transmitting the Board's final rule—Community Support Requirement [Docket No. 97-39] (RIN: 3069-AA35) received June 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

3702. A letter from the Attorney-Advisor, Federal Housing Finance Board, transmitting the Board's final rule—Technical Amendments to Definition of Deposits in Banks or Trust Companies [Docket No. 97-38] (RIN: 3069-AA63) received June 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Banking and Financial Services.

3703. A letter from the Assistant Secretary for Employment Standards, Department of Labor, transmitting the Department's final rule—Executive Order 12933 of October 20, 1994—"Nondisplacement of Qualified Workers Under Certain Contracts" (Employment Standards Administration, Wage and Hour Division) (RIN: 1215-AA95) received May 22, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

3704. A letter from the Chairperson, National Commission on Libraries and Information Science, transmitting the twenty-fifth annual report of the activities of the Commission covering the period October 1, 1995 through September 30, 1996, pursuant to 20 U.S.C. 1504; to the Committee on Education and the Workforce.

3705. A letter from the Deputy Executive Director and Chief Operating Officer, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing Benefits [29 CFR Part 4044] Received June 10, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

3706. A letter from the Secretary of Education, transmitting a draft of proposed legislation to assist states and secondary and postsecondary schools to develop, implement, and improve career preparation education so that every student has an opportunity to acquire academic and technical knowledge and skills needed for postsecondary education, further learning, and a wide range of opportunities in high-skill and high-wage careers; to the Committee on Education and the Workforce.

3707. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's "Major" final rule—Substances Prohibited From Use in Animal Food or Feed; Animal Proteins Prohibited in Ruminant Feed [Docket No. 96N-0135] (RIN: 0910-AA91) received June 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3708. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans: Revisions to Several Chapters and Appendices of the Alabama Department of Environmental Management (ADEM) Administration Code for the Air Pollution Control Pro-

gram [AL-044-1 9710a; FRL-5829-9] received June 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3709. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Ohio Ozone Maintenance Plan [OH104-2a; FRL-5840-8] received June 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3710. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Hazardous Waste Management System; Testing and Monitoring Activities [FRL-5839-6] received June 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3711. A letter from the Director, Office of Regulatory Management and Information, Environmental Protection Agency, transmitting the Agency's final rule—Hazardous Waste Management System; Carbamate Production, Identification and Listing of Hazardous Waste; Land Disposal Restrictions; Authorization of State Hazardous Waste Programs; and CERCLA Hazardous Substance Designation and Reportable Quantities [EPA530-Z-97; FRL-5839-7] (RIN: 2050-AD59) received June 9, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3712. A letter from the Deputy Director, Regulations Policy Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Indirect Food Additives: Adjuvants, Production Aids, and Sanitizers [Docket No. 96F-0369] received June 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3713. A letter from the Director, Regulations Policy Management Staff, Office of Policy, Food and Drug Administration, transmitting the Administration's final rule—Neurological Devices; Effective Date of Requirement for Premarket Approval of Cranial Electrotherapy Stimulators [Docket No. 93N-0027] received June 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Commerce.

3714. A letter from the Secretary of Health and Human Services, transmitting a draft of an Administration legislative proposal for revitalizing the Public Health Service; to the Committee on Commerce.

3715. A letter from the Director, Resource Management and Planning Staff, Trade Development, International Trade Administration, transmitting the Administration's final rule—Market Development Cooperative Program [Docket No. 970424097-7097-01] (RIN: 0625-ZA05) received June 3, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

3716. A letter from the Secretary of Commerce, transmitting the semiannual report on the activities of the Office of the Inspector General and the Secretary's semiannual report on final action taken on Inspector General audits for the period from October 1, 1996 through March 31, 1997, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

3717. A letter from the Chairman, Board of Directors, Panama Canal Commission, transmitting the semiannual report on the activities of the Office of Inspector General for the period October 1, 1996, through March 31, 1997; and the semiannual management report for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

3718. A letter from the Deputy Director for Administration, Central Intelligence Agency, transmitting a report of activities under

the Freedom of Information Act for the calendar year 1996, pursuant to 5 U.S.C. 552(d); to the Committee on Government Reform and Oversight.

3719. A letter from the Acting Commissioner of Social Security, Social Security Administration, transmitting the semi-annual report on the activities of the Office of Inspector General for the period October 1, 1996, through March 31, 1997, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform and Oversight.

3720. A letter from the Secretary of the Interior, transmitting certification that lands for the North Cannonball Unit, Standing Rock Indian Reservation have had an adequate soil survey, land classification has been made and that the lands to be irrigated are susceptible to agricultural production by irrigation, pursuant to 43 U.S.C. 390a; to the Committee on Resources.

3721. A letter from the Assistant Secretary for Environmental Management, Department of Energy, transmitting a summary of the Department of Energy's "Final Waste Management Programmatic Environmental Impact Statement"; to the Committee on Resources.

3722. A letter from the Acting Director, Fish and Wildlife Service, transmitting the Service's final rule—Endangered and Threatened Wildlife and Plants; Change in Listing Status of Steller Sea Lion (RIN: 1018-AE10) received June 4, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3723. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Halibut and Red King Crab Bycatch Rate Standards for the Second Half of 1997 [Docket No. 900833-1095; I.D. 052997D] received June 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3724. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule—Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish of the Bering Sea and Aleutian Islands Area; Apportionment of Reserve [Docket No. 961107312-7021-02; I.D. 052397B] received June 6, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

3725. A letter from the Assistant Attorney General, Department of Justice, transmitting the report on the administration of the Foreign Agents Registration Act covering the six months ended June 30, 1996, pursuant to 22 U.S.C. 621; to the Committee on the Judiciary.

3726. A letter from the Assistant General Counsel, United States Information Agency, transmitting the Agency's final rule—Exchange Visitor Program [22 CFR Part 514] received May 27, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3727. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Safety Fitness Procedures; Safety Ratings (Federal Highway Administration) [FHWA Docket No. MC-94-22; FHWA-97-2252] (RIN: 2125-AC71) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3728. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Procedures for Participating in and received Data from the National Driver Register Problem Driver Pointer System (National Highway Traffic Safety Administration) [Docket No. 84-02;

Notice 11] (RIN: 2127-AG21) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3729. A letter from the General Counsel, Department of Transportation, transmitting the Department's final rule—Hazardous Materials: Use of Non-specification Open-Head Fiber Drum Packagings (Research and Special Programs Administration) [Docket No. RSPA-97-2501 (HM-221B)] (RIN: 2137-AD04) received May 29, 1997, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3730. A letter from the Deputy Administrator, General Services Administration, transmitting an informational copy of a Report of Building Project Survey for the Department of Transportation (DOT) Headquarters Replacement in Washington, DC, pursuant to 40 U.S.C. 606(a); to the Committee on Transportation and Infrastructure.

3731. A letter from the Board Members, Railroad Retirement Board, transmitting a draft of proposed legislation to amend the Railroad Retirement Act and the Railroad Unemployment Insurance Act to ease administration of the railroad retirement and railroad unemployment insurance programs; to the Committee on Transportation and Infrastructure.

3732. A letter from the Secretary of Transportation, transmitting a copy of the report entitled "The Regional Attorney Pilot Project," pursuant to Public Law 102-365, section 4(b)(3) (106 Stat. 973); to the Committee on Transportation and Infrastructure.

3733. A letter from the Acting Associate Deputy Administrator for Government Contracting and Minority Enterprise Development, Small Business Administration, transmitting the revised annual report on Minority Small business and Capital Ownership Development for fiscal year 1996 to replace EC3250 which was transmitted on May 8, 1997, pursuant to Public Law 100-656, section 408 (102 Stat. 3877); to the Committee on Small Business.

3734. A letter from the Secretary of Veterans Affairs, transmitting a draft of proposed legislation to amend title 38, United States Code, to make certain improvements in the housing loan programs for veterans and eligible persons; to the Committee on Veterans' Affairs.

3735. A letter from the Secretary of Health and Human Services, transmitting a letter informing Congress that the proposal required by Section 4008(k)(1) of the Omnibus Budget Reconciliation Act of 1990 was transmitted with the President's fiscal year (FY) 1998 budget and associated legislative language; to the Committee on Ways and Means.

3736. A letter from the Secretary of Health and Human Services, transmitting a report on the initial estimate of the applicable percentage increase in inpatient hospital payment rates for Federal Fiscal Year (FY) 1998, pursuant to Public Law 101-508, section 4002(g)(1)(B) (104 Stat. 1388-36); to the Committee on Ways and Means.

3737. A letter from the Acting General Counsel, Department of Defense, transmitting a draft of proposed legislation that would clarify the treatment of military and National Guard aircraft as public aircraft; jointly to the Committees on National Security and Transportation and Infrastructure.

3738. A letter from the Administrator, Environmental Protection Agency, transmitting the third report on environmental estuarine monitoring of organotin concentrations, pursuant to 33 U.S.C. 2406; jointly to the Committees on Transportation and Infrastructure and National Security.

3739. A letter from the Administrator, National Highway Traffic Safety Administra-

tion, transmitting a copy of a report entitled "NHTSA Plan for Achieving Harmonization of the U.S. and European Side Impact Standards," pursuant to Public Law 104-205; jointly to the Committees on Transportation and Infrastructure and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Submitted June 9, 1997]

Mr. BILEY: Committee on Commerce. H.R. 1277. A bill to authorize appropriations for fiscal year 1998 and fiscal year 1999 for the civilian research, development, demonstration, and commercial application activities of the Department of Energy, and for other purposes; with an amendment (Rept. 105-67 Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

[Submitted June 10, 1997]

Mr. SOLOMON: Committee on Rules. House Resolution 163. Resolution providing for consideration of the joint resolution (H.J. Res. 54) proposing an amendment to the Constitution of the United States authorizing the Congress to prohibit the physical desecration of the flag of the United States (Rept. 105-126). Referred to the House Calendar.

Mr. GOSS: Committee on Rules. House Resolution 164. Resolution for consideration of the bill (H.R. 437) to reauthorize the National Sea Grant College Program Act, and for other purposes (Rept. 105-127). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SMITH of Texas: Committee on the Judiciary. H.R. 378. A bill for the relief of Heraclio Tolley (Rept. 105-125). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. HYDE (for himself, Mr. McDERMOTT, Mrs. KELLY, Mr. HAYWORTH, Mr. STARK, Ms. DeGETTE, Ms. JACKSON-LEE, Mr. CONYERS, Mr. FRANK of Massachusetts, Mr. BARR of Georgia, Mrs. MEEK of Florida, Mr. MARTINEZ, Ms. LOFGREN, Mr. WICKER, Mr. GRAHAM, Mr. MANZULLO, Mr. SCHIFF, Mr. CLAY, Mr. EVANS, Mr. FOLEY, Mr. FOGLETTA, Mr. PARKER, Mr. DELLUMS, Mr. BILEY, Mr. BROWN of Ohio, Mr. WATT of North Carolina, Mr. BERMAN, Mr. BAKER, and Mr. CUMMINGS):

H.R. 1835. A bill to provide a more just and uniform procedure for Federal civil forfeitures; to the Committee on the Judiciary, and in addition to the Committee on Ways and Means, for a period to subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BURTON of Indiana (for himself and Mr. MICA):

H.R. 1836. A bill to amend chapter 89 of title 5, United States Code, to improve administration of sanctions against unfit health care providers under the Federal Employees Health Benefits Program, and for other purposes; to the Committee on Government Reform and Oversight.

By Ms. JACKSON-LEE:

H.R. 1837. A bill to amend title 18, United States Code, with respect to the penalty for the rape of juveniles in prison; to the Committee on the Judiciary.

By Mr. SHUSTER (for himself, Mr. OBERSTAR, Mr. GILCHREST, and Mr. CLEMENT) (all by request):

H.R. 1838. A bill to authorize appropriations for fiscal years 1998 and 1999 for the Coast Guard, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WHITE (for himself, Mr. TOWNS, Mr. HORN, Mr. NORWOOD, and Ms. DUNN of Washington):

H.R. 1839. A bill to establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles; to the Committee on Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCOLLUM:

H.R. 1840. A bill to provide a law enforcement exception to the prohibition on the advertising of certain electronic devices; to the Committee on the Judiciary.

By Mr. COX of California (for himself and Mr. CAMPBELL):

H.R. 1841. A bill to amend the Internal Revenue Code of 1986 to repeal the death tax for family farms and small businesses; to the Committee on Ways and Means.

By Mrs. CHENOWETH (for herself, Mr. POMBO, Mr. DOOLITTLE, Mr. SMITH of Oregon, Mr. RADANOVICH, Mr. BOB SCHAFER, Mr. GIBBONS, Mr. HERGER, Mr. HILLEARY, Mr. HASTINGS of Washington, Mr. SMITH of Texas, and Mr. METCALF):

H.R. 1842. A bill to terminate further development and implementation of the American Heritage Rivers Initiative; to the Committee on Resources.

By Mr. BASS (for himself, Mr. SUNUNU, Mr. SANDERS, Mr. METCALF, Mr. PARKER, Mr. YOUNG of Alaska, Mr. BOUCHER, Mr. BONO, Mr. PASTOR, Mr. STUMP, Mr. STRICKLAND, Mr. DEAL of Georgia, Mr. NORWOOD, Mr. WICKER, Mr. GRAHAM, Mrs. CUBIN, Mr. HERGER, Mr. HILL, Mr. HAYWORTH, Mr. RIGGS, and Mrs. EMERSON):

H.R. 1843. A bill to amend title 31, United States Code, to address the failure to appropriate sufficient funds to make full payments in lieu of taxes under chapter 69 of such title by exempting certain users of the National Forest System from fees imposed in connection with such use; to the Committee on Resources.

By Mr. COLLINS:

H.R. 1844. A bill to amend the Internal Revenue Code of 1986 to clarify the treatment of aircraft maintenance and repair expenditures required by the Federal Aviation Administration; to the Committee on Ways and Means.

By Mr. ETHERIDGE (for himself, Mr. MCINTYRE, Mr. HEFNER, Mrs. CLAYTON, Mr. COBLE, and Mr. PRICE of North Carolina):

H.R. 1845. A bill to amend the Internal Revenue Code of 1986 to reduce estate taxes on family-owned businesses; to the Committee on Ways and Means.

By Mr. GALLEGLY (for himself and Mr. COOKSEY:

H.R. 1846. A bill to provide for the immediate application of certain orders relating to the amendment, modification, suspension, or revocation of certificates under chapter 447 of title 49, United States Code; to the Committee on Transportation and Infrastructure.

By Mr. GOODLATTE:

H.R. 1847. A bill to improve the criminal law relating to fraud against consumers; to the Committee on the Judiciary.

By Mr. HOYER (for himself, Mrs. MORELLA, Mr. CUMMINGS, Mr. MORAN of Virginia, Mr. FAZIO of California, Mr. FORD, and Mr. DAVIS of Virginia):

H.R. 1848. A bill to amend chapter 89 of title 5, United States Code, to modify the formula under which the Government contribution for a Federal employee or annuitant enrolled in a health benefits plan under such chapter is determined; to the Committee on Government Reform and Oversight.

By Mr. LUCAS of Oklahoma:

H.R. 1849. A bill to establish the Oklahoma City National Memorial as a unit of the National Park System, to designate the Oklahoma City Memorial Trust, and for other purposes; to the Committee on Resources.

By Mrs. MALONEY of New York (for herself, Mr. DEFAZIO, Mr. BARRETT of Wisconsin, Ms. SLAUGHTER, Ms. MCKINNEY, Mr. JACKSON, Mr. MCGOVERN, Ms. NORTON, and Mr. ROTHMAN):

H.R. 1850. A bill to require the Secretary of Defense to plan and carry out pilot projects to test various best business practices for defense inventory management; to the Committee on National Security.

By Mr. MORAN of Virginia:

H.R. 1851. A bill to designate the U.S. courthouse located at 200 South Washington Street in Alexandria, VA, as the "Martin V.B. Bostetter, Jr. United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mrs. MYRICK:

H.R. 1852. A bill to reduce the duty on a polymer of alkanediols, monocyclic dicarboxylic acid dimethyl ester, monocyclic monosulfonated dicarboxylic acid dimethyl ester monosodium salt and hydroxy alkoxyalkanesulfonic acid sodium salt; to the Committee on Ways and Means.

By Mr. RIGGS:

H.R. 1853. A bill to amend the Carl D. Perkins Vocational and Applied Technology Education Act; to the Committee on Education and the Workforce.

By Mr. SABO:

H.R. 1854. A bill to amend the Employee Retirement Income Security Act of 1974 to require the offering of children-only coverage to dependents of participants under group health plans, and for other purposes; to the Committee on Education and the Workforce.

By Mr. SAXTON (for himself, Mr. ALLEN, Mr. BALDACCIO, Mr. DELAHUNT, Mr. FRANK of Massachusetts, Mr. KENNEDY of Rhode Island, Mr. PALLONE, and Mr. WEYGAND):

H.R. 1855. A bill to establish a moratorium on large fishing vessels in Atlantic herring and mackerel fisheries; to the Committee on Resources.

By Mr. SAXTON:

H.R. 1856. A bill to amend the Fish and Wildlife Act of 1956 to direct the Secretary of the Interior to conduct a volunteer pilot project at one national wildlife refuge in each U.S. Fish and Wildlife Service region, and for other purposes; to the Committee on Resources.

By Mr. SENSENBRENNER:

H.R. 1857. A bill to amend title 28, United States Code, to provide for Federal jurisdiction of certain multiparty, multiform civil actions; to the Committee on the Judiciary.

By Mr. SHAYS (for himself, Mr. FRANK of Massachusetts, Mr. ABERCROMBIE, Mr. ACKERMAN, Mr. ALLEN, Mr. ANDREWS, Mr. BALDACCIO, Mr. BARRETT of Wisconsin, Mr. BECERRA, Mr. BERMAN, Mr. BLAGOJEVICH, Mr. BLUMENAUER, Mr. BOEHLERT, Mr. BONIOR, Mr. BROWN of California, Mr. BROWN of Ohio, Mr. CAMPBELL, Mr. CAPPS, Mr. CARDIN, Ms. CARSON, Ms. CHRISTIAN-GREEN, Mr. CLAY, Mrs. CLAYTON, Mr. CLYBURN, Mr. CONYERS, Mr. COYNE, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. DEFAZIO, Ms. DEGETTE, Mr. DELAHUNT, Ms. DELAURO, Mr. DELLUMS, Mr. DEUTSCH, Mr. DICKS, Mr. DIXON, Mr. ENGL, Ms. ESHOO, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FARR of California, Mr. FATTAH, Mr. FAZIO of California, Mr. FILNER, Mr. FLAKE, Mr. FOGLIETTA, Mr. FORD, Mr. FRELINGHUYSEN, Mr. FROST, Ms. FURSE, Mr. GEJDENSON, Mr. GEPHARDT, Mr. GILMAN, Mr. GONZALEZ, Mr. GREENWOOD, Mr. GUTIERREZ, Ms. HARMAN, Mr. HASTINGS of Florida, Mr. HINCHEY, Ms. HOOLEY of Oregon, Mr. HORN, Mr. HOYER, Ms. JACKSON-LEE, Mr. JACKSON, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JOHNSON of Connecticut, Mrs. KELLY, Mr. KENNEDY of Massachusetts, Mr. KENNEDY of Rhode Island, Mrs. KENNELLY of Connecticut, Mr. KILDEE, Ms. KILPATRICK, Mr. KIND of Wisconsin, Mr. KOLBE, Mr. KUCINICH, Mr. LANTOS, Mr. LEACH, Mr. LEVIN, Mr. LEWIS of Georgia, Ms. LOFGREEN, Mrs. LOWEY, Mr. LUTHER, Mrs. MALONEY of New York, Mr. MALONEY of Connecticut, Mr. MARKEY, Mr. MARTINEZ, Mr. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCARTHY of Missouri, Mr. McDERMOTT, Mr. MCGOVERN, Mr. MCHALE, Ms. MCKINNEY, Mr. MEEHAN, Mrs. MEEK of Florida, Mr. MENENDEZ, Ms. MILLENDER-MCDONALD, Mr. MILLER of California, Mrs. MINK of Hawaii, Mr. MOAKLEY, Mr. MORAN of Virginia, Mrs. MORELLA, Mr. NADLER, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OLIVER, Mr. OWENS, Mr. PALLONE, Mr. PASCRELL, Mr. PASTOR, Mr. PAYNE, Ms. PELOSI, Mr. RANGEL, Mr. REYES, Ms. RIVERS, Mr. ROTHMAN, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SABO, Ms. SANCHEZ, Mr. SANDERS, Mr. SAWYER, Mr. SCHUMER, Mr. SERRANO, Mr. SHERMAN, Mr. SKAGGS, Ms. SLAUGHTER, Mr. ADAM SMITH of Washington, Ms. STABENOW, Mr. STARK, Mr. STOKES, Mrs. TAUSCHER, Mr. THOMPSON, Mr. TIERNEY, Mr. TORRES, Mr. TOWNS, Mr. TRAFICANT, Mr. UNDERWOOD, Ms. VELAZQUEZ, Mr. VENTO, Ms. WATERS, Mr. WATT of North Carolina, Mr. WAXMAN, Mr. WEXLER, Mr. WEYGAND, Ms. WOOLSEY, Mr. WYNN, and Mr. YATES):

H.R. 1858. A bill to prohibit employment discrimination on the basis of sexual orientation; to the Committee on Education and the Workforce, and in addition to the Committees on House Oversight, Government Reform and Oversight, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEARNS (for himself, Mr. TAUZIN, Mr. OXLEY, and Mr. UPTON):

H.R. 1859. A bill to amend the Communications Act of 1934 to reduce restrictions on media ownership, and for other purposes; to the Committee on Commerce.

By Mr. PAUL:

H.J. Res. 80. Joint resolution proposing an amendment to the Constitution of the United States authorizing the State to prohibit the physical desecration of the flag of the United States and authorizing Congress to prohibit desecration of federally owned flags; to the Committee on the Judiciary.

By Mr. SCARBOROUGH:

H.J. Res. 81. Joint resolution disapproving the Federal Communications Commission Order 97-27, relating to revision of the Commission's cable television leased commercial access rules; to the Committee on Commerce.

By Mr. WELDON of Florida (for himself, Mr. DEUTSCH, Mr. COOK, Mr. ROHRBACHER, Mr. WEXLER, Mr. MCGOVERN, Mr. WATTS of Oklahoma, Mr. FROST, Mr. CANADY of Florida, Mr. LIPINSKI, Mr. LAHOOD, Mr. FOX of Pennsylvania, Mr. ABERCROMBIE, Mr. MILLER of Florida, Ms. SLAUGHTER, Mr. FRANK of Massachusetts, Mrs. THURMAN, Mr. FORBES, Mr. DELLUMS, Mr. PORTER, Mr. ENGEL, and Mr. DICKEY):

H. Con. Res. 95. Concurrent resolution recognizing and commending American airmen held as political prisoners at the Buchenwald concentration camp during World War II for their service, bravery, and fortitude; to the Committee on Government Reform and Oversight.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

128. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of Kentucky, relative to House Resolution No. 20 encouraging the President and the United States Congress to examine United States foreign policy toward Ethiopia; to the Committee on International Relations.

129. Also, a memorial of the Legislature of the State of Montana, relative to House Joint Resolution 13 urging Congress to amend President Clinton's unilateral action in designating the Grand Staircase-Escalante National Monument; urging Congress to require negotiation with the States and a stronger consideration of the social and economic consequences in the designation of national monuments and wilderness areas; and requiring the Secretary of State to transmit copies of the Grand Staircase-Escalante National Monument Resolution; to the Committee on Resources.

130. Also, a memorial of the Legislature of the State of Oregon, relative to Senate Concurrent Resolution 8 urging the Congress of the United States to continue the operation of and reverse the decision to close the Astoria Weather Station; to the Committee on Science.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII:

Mr. RAHALL introduced a bill (H.R. 1860) for the relief of certain Persian Gulf evacuees; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 7: Mr. HUTCHINSON.
H.R. 15: Mr. RUSH, Mr. LANTOS, and Mr. CALVERT.
H.R. 84: Mr. FILNER.
H.R. 96: Mr. JONES, Mr. LEWIS of Georgia, and Mrs. FOWLER.
H.R. 108: Mrs. LOWEY.
H.R. 135: Ms. HOOLEY of Oregon, and Mr. COYNE.
H.R. 145: Mr. DIXON and Mrs. LOWEY.
H.R. 197: Ms. ESHOO.
H.R. 230: Ms. FURSE.
H.R. 245: Mr. FOX of Pennsylvania.
H.R. 404: Mr. SHAYS.
H.R. 407: Mrs. MINK of Hawaii.
H.R. 446: Mr. KING of New York.
H.R. 521: Mr. HUTCHINSON.
H.R. 625: Mr. HOLDEN, Mr. GIBBONS, and Mr. BARRETT of Wisconsin.
H.R. 632: Mr. GOODE, Mr. COBLE, and Mr. ENSIGN.
H.R. 693: Mr. BACHUS.
H.R. 695: Mr. ENGLISH of Pennsylvania.
H.R. 699: Mr. HASTINGS of Washington, Mr. ENSIGN, Mr. QUINN, Mr. SMITH of New Jersey, Mr. LARGENT, Mr. REYES, and Mr. SNYDER.
H.R. 712: Mr. DAVIS of Illinois, Mr. MCGOVERN, and Mr. HASTINGS of Florida.
H.R. 754: Mr. MALONEY of Connecticut and Mr. DELAHUNT.
H.R. 758: Mr. HULSHOF.
H.R. 793: Mr. FILNER.
H.R. 815: Mr. DAVIS of Florida, Mr. WEXLER, and Mr. SHAW.
H.R. 869: Mr. KLUG and Mr. STRICKLAND.
H.R. 873: Mr. WELDON of Pennsylvania.
H.R. 880: Mr. YOUNG of Alaska.
H.R. 910: Mr. BONIOR.
H.R. 922: Mr. COOK.
H.R. 923: Mr. COOK.
H.R. 955: Mr. BLILEY.
H.R. 957: Mr. FOX of Pennsylvania.
H.R. 971: Mr. LAFALCE.
H.R. 983: Ms. MCCARTHY of Missouri, Mr. POSHARD, and Ms. LOFGREN.
H.R. 989: Mr. MCHALE, Mr. HOUGHTON, Mr. MEEHAN, Mr. COBLE, Mr. JACKSON, Mr. DEUTSCH, Mr. KING of New York, Mr. CANADY of Florida, Mr. DELLUMS, Mr. PASTOR, and Ms. PRYCE of Ohio.
H.R. 991: Mr. MINGE.
H.R. 1009: Mr. CHAMBLISS.
H.R. 1018: Mr. HALL of Ohio and Mr. MCCOLLUM.
H.R. 1054: Mr. PACKARD and Mr. TORRES.
H.R. 1059: Mr. COLLINS and Mr. EWING.
H.R. 1063: Mr. DAVIS of Virginia, Mr. BE-REUTER, Mr. COLLINS, Mr. SHADEGG, and Mr. HUTCHINSON.
H.R. 1072: Ms. WOOLSEY, Ms. LOFGREN, and Ms. BROWN of Florida.
H.R. 1114: Mr. FILNER, Mr. WEXLER, and Mr. WALSH.
H.R. 1120: Mr. CARDIN and Mr. LAFALCE.
H.R. 1126: Mr. COOK, Mr. MENENDEZ, and Mr. HOSTETTLER.
H.R. 1134: Ms. DANNER, Mr. BORSKI, Mr. GUTKNECHT, Ms. SLAUGHTER, Mr. GREENWOOD, Mr. TAUZIN, Mr. THOMPSON, Mr. DEUTSCH, Mr. SKAGGS, and Mr. KINGSTON.
H.R. 1140: Mr. COBLE.
H.R. 1166: Mr. BORSKI, Mr. MOAKLEY, Mr. BLAGOJEVICH, Mr. BARCIA of Michigan, Mr. BONO, Mr. GOODLING, Mr. PRICE of North Carolina, Mr. SKELTON, Mr. GEJDENSON, and Mr. DOOLITTLE.
H.R. 1173: Mr. BLAGOJEVICH, Mr. RUSH, Mr. PAYNE, Mr. KENNEDY of Massachusetts, Mr. MCCRERY, Mr. FRANK of Massachusetts, Mrs. MEEK of Florida, Mr. DAVIS of Virginia, Mr. MCDERMOTT, Mr. WATT of North Carolina, Mrs. MCCARTHY of New York, Ms. PELOSI, Mr. TIERNEY, Mr. PETERSON of Minnesota, Mr. MORAN of Virginia, Ms. DELAURO, Mrs. KENNELLY of Connecticut, Mr. GEJDENSON, and Mr. ADAM SMITH of Washington.
H.R. 1203: Mr. CALVERT.
H.R. 1231: Ms. SLAUGHTER.

H.R. 1260: Mr. HALL of Ohio, Mr. DIXON, Mr. CALVERT, Mr. GOODLING, Mrs. EMERSON, and Mr. BROWN of Ohio.

H.R. 1270: Mr. MCINTYRE, Mr. WEXLER, Mr. ADERHOLT, Mr. THORNBERRY, Mr. HUTCHINSON, Mr. SAXTON, Mr. HASTINGS of Florida, Ms. JACKSON-LEE, Mr. WALSH, and Mr. SCOTT.

H.R. 1287: Ms. NORTON, Mr. DUNCAN, Mr. KOLBE, Mr. CAMPBELL, and Mr. LIPINSKI.

H.R. 1288: Mr. COSTELLO.

H.R. 1289: Mr. KUCINICH, Mr. FROST, Mr. BOUCHER, Mr. MEEHAN, Mr. EVANS, Mr. ACKERMAN, Mr. GREENWOOD, Mr. SHAYS, Mr. BAKER, Ms. ESHOO, and Mr. ALLEN.

H.R. 1296: Mr. HORN, Ms. STABENOW, and Mr. FOX of Pennsylvania.

H.R. 1301: Mr. FOGLIETTA.

H.R. 1315: Ms. DEGETTE.

H.R. 1323: Mr. MCDERMOTT, Mr. TORRES, Mr. MORAN of Virginia, and Mr. ALLEN.

H.R. 1350: Mr. CANADY of Florida, Mr. HAYWORTH, Mr. CHRISTENSEN, and Mr. SKAGGS.

H.R. 1355: Ms. WOOLSEY.

H.R. 1363: Mr. FILNER and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1364: Mr. FILNER, Mr. SCHUMER, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. MARTINEZ.

H.R. 1373: Mr. DAVIS of Illinois and Mr. LEWIS of Georgia.

H.R. 1401: Mr. SKAGGS.

H.R. 1437: Mr. MARTINEZ and Mr. QUINN.

H.R. 1440: Mr. FROST, Mr. MCGOVERN, Mr. LAFALCE, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1455: Mr. TORRES, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. MARTINEZ.

H.R. 1480: Mr. FILNER.

H.R. 1496: Mr. FOX of Pennsylvania and Mr. EVANS.

H.R. 1497: Mr. MCGOVERN.

H.R. 1503: Mr. FOX of Pennsylvania.

H.R. 1526: Mr. SAXTON, Mr. ETHERIDGE, Mr. CANADY of Florida, and Mr. ROTHMAN.

H.R. 1531: Mr. CLYBURN, Mr. LIPINSKI, Mr. McNULTY, Mr. HOLDEN, Mr. YATES, and Mr. WEXLER.

H.R. 1532: Mr. ALLEN, Mr. TAYLOR of Mississippi, Mr. BLAGOJEVICH, Mr. LIVINGSTON, Mr. BEREUTER, Mrs. ROUKEMA, Mr. FAWELL, Mr. SAWYER, Mr. TANNER, Mr. MCINTOSH, Mr. LEACH, Mr. COBLE, Mr. HASTINGS of Florida, Mr. WICKER, Mr. CRAMER, Mr. MCDADE, Mr. HASTERT, Mr. DAVIS of Illinois, Ms. DELAURO, Mr. BOYD, Mr. MARTINEZ, and Mr. DEUTSCH.

H.R. 1541: Mrs. MALONEY of New York, Mr. PORTER, Mr. KLUG, and Mr. FORD.

H.R. 1542: Mr. BILBRAY.

H.R. 1592: Mrs. FOWLER and Mr. TRAFICANT.

H.R. 1604: Mr. STUPAK.

H.R. 1614: Mr. SNYDER.

H.R. 1620: Mr. EHRlich and Mr. MCCOLLUM.

H.R. 1628: Mr. FAZIO of California, Mr. LEVIN, Ms. DUNN of Washington, Mr. BENTSEN, Ms. PELOSI, Ms. JACKSON-LEE, Ms. CHRISTIAN-GREEN, Mr. ROTHMAN, and Mr. ENGLISH of Pennsylvania.

H.R. 1631: Mr. FILNER, Mr. SESSIONS, Mr. TOWNS, Mr. WATTS of Oklahoma, and Mr. FROST.

H.R. 1658: Mr. DELAHUNT.

H.R. 1679: Mr. HOYER.

H.R. 1689: Mr. DEAL of Georgia, Mr. KLECZKA, Mr. PICKETT, and Mr. HASTERT.

H.R. 1698: Mr. BECERRA, Mr. DELLUMS, Ms. PELOSI, Ms. LOFGREN, Mr. GONZALEZ, Mr. HINCHEY, Mr. MATSUI, and Mr. MILLER of California.

H.R. 1706: Mr. RUSH, Ms. JACKSON-LEE, Ms. LOFGREN, Mr. ACKERMAN, Mr. FROST, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HASTINGS of Florida, and Mr. ENGLISH of Pennsylvania.

H.R. 1716: Mr. SHAYS and Mr. FAWELL.

H.R. 1725: Mr. BORSKI.

H.R. 1732: Mr. SANDERS, Ms. CHRISTIAN-GREEN, Mr. FILNER, and Mr. GUTIERREZ.

H.R. 1764: Mr. PAUL.

H.R. 1773: Mrs. MEEK of Florida and Mr. CUNNINGHAM.

H.R. 1776: Mr. FRELINGHUYSEN and Mr. SANFORD.

H.R. 1812: Mr. BURTON of Indiana and Mr. ROHRBACHER.

H.J. Res. 47: Mr. LAMPSON, Mr. BERMAN, and Mr. REYES.

H.J. Res. 79: Mr. GIBBONS, Mr. HOSTETTLER, and Mr. BURTON of Indiana.

H. Con. Res. 10: Mr. MILLER of Florida, Mr. HINCHEY, and Mr. STUPAK.

H. Con. Res. 13: Mr. EWING, Mrs. EMERSON, Mr. TURNER, Mr. WAXMAN, and Mr. SCOTT.

H. Con. Res. 60: Mr. PALLONE, Mr. SENSENBRENNER, Mr. WELLER, Mr. HASTERT, Mr. FOX of Pennsylvania, Mr. ETHRIDGE, Mr. LARGENT, Mr. FROST, Mr. ANDREWS, and Mr. HUTCHINSON.

H. Con. Res. 88: Mr. MENENDEZ.

H. Con. Res. 89: Mr. McDERMOTT, Mr. OLVER, and Mr. HOUGHTON.

H. Con. Res. 91: Mr. DAVIS of Illinois.

H. Res. 15: Mr. EVANS.

H. Res. 122: Mr. FOX of Pennsylvania.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1559: Mrs. LINDA SMITH of Washington and Mrs. EMERSON.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the clerk's desk and referred as follows:

17. The SPEAKER presented a petition of the Board of Supervisors, County of Santa Barbara, California, relative to a vote of support for S.615 by Senator John H. CHAFEE and H.R.761 by Representative Barney Frank at their regular session; jointly to the Committees on Ways and Means and Agriculture.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 437

OFFERED BY: Mr. SAXTON

(Amendment in the Nature of a Substitute)

AMENDMENT No. 1: Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Sea Grant College Program Reauthorization Act of 1997".

SEC. 2. AMENDMENT OF NATIONAL SEA GRANT COLLEGE PROGRAM ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the National Sea Grant College Program Act (33 U.S.C. 1121 et seq.).

SEC. 3. AMENDMENTS TO DEFINITIONS.

(a) SEA GRANT INSTITUTION.—Section 203 (33 U.S.C. 1122) is amended by adding at the end the following new paragraph:

"(16) The term 'sea grant institution' means—

"(A) any sea grant college or sea grant regional consortium, and

"(B) any institution of higher education, institute, laboratory, or State or local agency conducting a sea grant program with amounts provided under this Act."

(b) FIELD RELATED TO OCEAN, COASTAL, AND GREAT LAKES RESOURCES.—Section 203(4) (33 U.S.C. 1122(4)) is amended to read as follows:

"(4) The term 'field related to ocean, coastal, and Great Lakes resources' means any discipline or field, including marine affairs, resource management, technology, education, or science, which is concerned with or likely to improve the understanding, assessment, development, utilization, or conservation of ocean, coastal, and Great Lakes resources."

(c) SECRETARY.—

(1) IN GENERAL.—Section 203(13) (33 U.S.C. 1122(13)) is amended to read as follows:

"(13) The term 'Secretary' means the Secretary of Commerce, acting through the Under Secretary of Commerce for Oceans and Atmosphere."

(2) CONFORMING AMENDMENTS.—The Act is amended—

(A) by striking section 203(15) (33 U.S.C. 1122(15));

(B) in section 209(b) (33 U.S.C. 1128(b)), as amended by this Act, by striking ", the Under Secretary,"; and

(C) by striking "Under Secretary" every other place it appears and inserting "Secretary".

SEC. 4. CONSULTATIONS REGARDING LONG-RANGE PLANNING GUIDELINES AND PRIORITIES AND EVALUATION.

Section 204(a) (33 U.S.C. 1123(a)) is amended in the last sentence by inserting after "The Secretary" the following: ", in consultation with the sea grant institutions and the panel established under section 209,".

SEC. 5. DUTIES OF DIRECTOR.

Section 204(c) (33 U.S.C. 1123(c)) is amended to read as follows:

"(c) DUTIES OF DIRECTOR.—

"(1) IN GENERAL.—The Director shall administer the National Sea Grant College Program subject to the supervision of the Secretary. In addition to any other duty prescribed by law or assigned by the Secretary, the Director shall—

"(A) advise the Secretary with respect to the expertise and capabilities which are available within or through the National Sea Grant College Program, and provide (as directed by the Secretary) those which are or could be of use to other offices and activities within the Administration;

"(B) encourage other Federal departments, agencies, and instrumentalities to use and take advantage of the expertise and capabilities which are available through the National Sea Grant College Program, on a cooperative or other basis;

"(C) encourage cooperation and coordination with other Federal programs concerned with ocean, coastal, and Great Lakes resources conservation and usage;

"(D) advise the Secretary on the designation of sea grant institutions and, in appropriate cases, if any, on the termination or suspension of any such designation;

"(E) encourage the formation and growth of sea grant programs; and

"(F) oversee the operation of the National Sea Grant Office established under subsection (a).

"(2) DUTIES WITH RESPECT TO SEA GRANT INSTITUTIONS.—With respect to the sea grant institutions, the Director shall—

"(A) evaluate the programs of the institutions, using the guidelines and priorities established by the Secretary under subsection (a), to ensure that the objective set forth in section 202(b) is achieved;

"(B) subject to the availability of appropriations, allocate funding among the sea grant institutions so as to—

"(i) promote healthy competition among those institutions,

"(ii) promote successful implementation of the programs developed by the institutions under subsection (e), and

"(iii) to the maximum extent consistent with the other provisions of this subparagraph, provide a stable base of funding for the institutions; and

"(C) ensure compliance by the institutions with the guidelines for merit review published pursuant to section 207(b)(2)."

SEC. 6. DUTIES OF SEA GRANT INSTITUTIONS.

Section 204 (33 U.S.C. 1123) is amended by adding at the end the following new subsection:

"(e) DUTIES OF THE SEA GRANT INSTITUTIONS.—Subject to any regulations or guidelines promulgated by the Secretary, it shall be the responsibility of each sea grant institution to—

"(1) develop and implement, in consultation with the Secretary and the panel established under section 209, a program that is consistent with the guidelines and priorities developed under section 204(a); and

"(2) conduct merit review of all applications for project grants or contracts to be awarded under section 205."

SEC. 7. REPEAL OF SEA GRANT INTERNATIONAL PROGRAM.

(a) REPEAL.—Section 3 of the Sea Grant Program Improvement Act of 1976 (33 U.S.C. 1124a) is repealed.

(b) CONFORMING AMENDMENT.—Section 209(b)(1) (33 U.S.C. 1128(b)(1)) is amended by striking "and section 3 of the Sea Grant Program Improvement Act of 1976".

SEC. 8. DESIGNATION OF SEA GRANT INSTITUTIONS.

Section 207 (33 U.S.C. 1126) is amended to read as follows:

"SEC. 207. SEA GRANT COLLEGES AND SEA GRANT REGIONAL CONSORTIA.

"(a) DESIGNATION.—The Secretary may designate an institution of higher learning as a sea grant college, and an association or alliance of two or more persons as a sea grant regional consortium, if the institution, association, or alliance—

"(1) is maintaining a balanced program of research, education, training, and advisory services in fields related to ocean, coastal, and Great Lakes resources;

"(2) will cooperate with other sea grant institutions and other persons to solve problems or meet needs relating to ocean, coastal, and Great Lakes resources;

"(3) will act in accordance with such guidelines as are prescribed under subsection (b)(2);

"(4) meets such other qualifications as the Secretary, in consultation with the sea grant review panel established under section 209, considers necessary or appropriate; and

"(5) is recognized for excellence in marine resources development and science.

"(b) REGULATIONS AND GUIDELINES.—

"(1) IN GENERAL.—The Secretary shall by regulation prescribe the qualifications required to be met under subsection (a)(4).

"(2) MERIT REVIEW.—Within 6 months after the date of enactment of the National Sea Grant College Program Reauthorization Act of 1997, the Secretary, after consultation with the sea grant institutions, shall establish guidelines for the conduct of merit review by the sea grant institutions of project proposals for grants and contracts to be awarded under section 205. The guidelines shall, at a minimum, provide for peer review of all research projects and require standardized documentation of all peer review.

"(c) SUSPENSION OR TERMINATION OF DESIGNATION.—The Secretary may, for cause and after an opportunity for hearing, suspend or terminate any designation under subsection (a)."

SEC. 9. AUTHORIZATIONS OF APPROPRIATIONS.

(a) GRANTS, CONTRACTS, AND FELLOWSHIPS.—Section 212(a) (33 U.S.C. 1131(a)) is amended to read as follows:

"(a) AUTHORIZATION.—

"(1) IN GENERAL.—There is authorized to be appropriated to carry out this Act—

"(A) \$54,300,000 for fiscal year 1998;

"(B) \$55,400,000 for fiscal year 1999; and

"(C) \$56,500,000 for fiscal year 2000.

"(2) ZEBRA MUSSEL AND OYSTER DISEASE RESEARCH.—Of the amount authorized for a fiscal year under paragraph (1)—

"(A) up to \$2,800,000 of the amount may be made available as provided in section 1301(b)(4)(A) of the Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 (16 U.S.C. 4741(b)(4)(A)) for competitive grants for university research on the zebra mussel; and

"(B) up to \$2,000,000 of the amount may be made available for competitive grants for university research on oyster disease."

(b) ADMINISTRATION.—Section 212(b) (33 U.S.C. 1131(b)) is amended—

(1) by striking so much as precedes paragraph (2) and inserting the following:

"(b) ADMINISTRATION.—

"(1) LIMITATION.—Of the amount appropriated for each fiscal year under subsection (a), an amount, not exceeding 5 percent of the lesser of the amount authorized under subsection (a) for the fiscal year or the amount appropriated under subsection (a) for the fiscal year, may be used for the administration of this Act, including section 209, by the National Sea Grant Office and the Administration."

(2) in paragraph (2)—

(A) by striking "subsections (a) and (c)" and inserting "subsection (a)"; and

(B) by striking "(2)" and inserting "(2) LIMITATION ON USE OF OTHER AMOUNTS.—"; and

(3) by moving paragraph (2) 2 ems to the right, so that the left margin of paragraph (2) is aligned with the left margin of paragraph (1), as amended by paragraph (1) of this subsection.

(c) REPEAL.—Section 212 (33 U.S.C. 1131) is amended by repealing subsection (c) and redesignating subsections (d) and (e) in order as subsections (c) and (d).

(d) PROHIBITION ON LOBBYING; NOTICE OF REPROGRAMMING OR REORGANIZATION.—Section 212 (33 U.S.C. 1131), as amended by subsection (c) of this section, is further amended by adding at the end the following:

"(e) PROHIBITION OF LOBBYING ACTIVITIES.—None of the funds authorized by this section shall be available for any activity whose purpose is to influence legislation pending before the Congress, except that this subsection shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

"(f) NOTICE OF REPROGRAMMING.—If any funds authorized by this section are subject to a reprogramming action that requires notice to be provided to the Appropriations Committees of the House of Representatives and the Senate, notice of such action shall concurrently be provided to the Committees on Science and Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

"(g) NOTICE OF REORGANIZATION.—The Secretary shall provide notice to the Committees on Science, Resources, and Appropriations of the House of Representatives, and the Committees on Commerce, Science, and Transportation and Appropriations of the Senate, not later than 15 days before any major reorganization of any program, project, or activity of the National Sea Grant College Program."

SEC. 10. CLERICAL, CONFORMING, AND TECHNICAL AMENDMENTS.

(a) CLERICAL AMENDMENTS.—

(1) Section 203(3) (33 U.S.C. 1122(3)) is amended by striking "the term" and inserting "The term".

(2) Section 203(6) (33 U.S.C. 1122(6)) is amended by moving subparagraph (F) 2 ems to the right, so that the left margin of subparagraph (F) is aligned with the left margin of subparagraph (E).

(3) The heading for section 204 (33 U.S.C. 1124) is amended to read as follows:

"SEC. 204. NATIONAL SEA GRANT COLLEGE PROGRAM."

(4) Section 209 (33 U.S.C. 1128) is amended by striking all of the matter that follows the first full sentence through "shall advise", and inserting "(b) DUTIES.—The panel shall advise".

(5) Section 205(b)(3) (33 U.S.C. 1124(b)(3)) is amended by striking "or section 206".

(6) Section 204(d)(1) (33 U.S.C. 1123(d)(1)) is amended—

(A) by striking "five positions" and inserting "one position"; and

(B) by striking "the maximum rate for GS-18 of the General Schedule under section 5332" and inserting "a rate established by the Secretary, not to exceed the maximum daily rate payable under section 5376".

(b) CONFORMING AMENDMENTS.—

(1) Section 204(b)(2) (33 U.S.C. 1123(b)(2)) is amended by striking "maximum rate for GS-18" and all that follows through the end of the sentence and inserting "maximum rate payable under section 5376 of title 5, United States Code".

(2) Section 209 (33 U.S.C. 1128) is amended—

(A) in subsection (b)(3) by striking "colleges and sea grant regional consortia" and inserting "institutions"; and

(B) in subsection (c)(1) in the last sentence in clause (A) by striking "college, sea grant regional consortium," and inserting "institution".

(c) TECHNICAL AMENDMENT.—Section 209(c)(5)(A) (33 U.S.C. 1128(c)(5)(A)) is amended by striking "the daily rate for GS-18 of the General Schedule under section 5332 of title 5, United States Code" and inserting "a rate established by the Secretary, not to exceed the maximum daily rate payable under section 5376 of title 5, United States Code".

H.R. 1757

OFFERED BY: MR. PAYNE

AMENDMENT NO. 7: At the end of the bill add the following (and conform the table of contents accordingly):

TITLE XVIII—MISCELLANEOUS PROVISIONS

SEC. 1801. ASSISTANCE TO THE DEMOCRATIC REPUBLIC OF CONGO.

Notwithstanding section 620(q) of the Foreign Assistance Act of 1961 or any other provision of law, assistance under chapter 1 of part I of the Foreign Assistance Act of 1961 (relating to development assistance) and under chapter 10 of part I of such Act (relating to the Development Fund for Africa) may be made available for the Democratic Republic of Congo.

H.R. 1757

OFFERED BY: MR. SANDERS

AMENDMENT NO. 8: After title XVII insert the following new title:

TITLE XVIII—SENSE OF CONGRESS REGARDING THE IMPRISONMENT OF NGAWANG CHOEPHEL IN CHINA

SEC. 1801. SENSE OF CONGRESS REGARDING THE IMPRISONMENT OF NGAWANG CHOEPHEL IN CHINA.

(a) FINDINGS.—The Congress makes the following findings:

(1) The Chinese Government sentenced Ngawang Choephel to an 18-year prison term plus 4 years subsequent deprivation of his political rights on December 26, 1996, following a secret trial.

(2) Mr. Choephel is a Tibetan national whose family fled Chinese oppression to live in exile in India in 1968.

(3) Mr. Choephel studied ethnomusicology at Middlebury College in Vermont as a Fulbright Scholar, and at the Tibetan Institute of Performing Arts in Dharamsala, India.

(4) Mr. Choephel returned to Tibet in July 1995 to prepare a documentary film about traditional Tibetan performing arts.

(5) Mr. Choephel was detained in August 1995 by the Chinese authorities and held incommunicado for over a year before the Government of the People's Republic of China admitted to holding him, and finally charged him with espionage in October 1996.

(6) There is no evidence that Mr. Choephel's activities in Tibet involved anything other than purely academic research.

(7) The Government of the People's Republic of China denies Tibetans their fundamental human rights, as reported in the State Department's Country Reports on Human Rights Practices, and by human rights organizations, including Amnesty International and Human Rights Watch, Asia.

(8) The Government of the People's Republic of China is responsible for the destruction of much of Tibetan civilization since its invasion of Tibet in 1949.

(9) The arrest of a Tibetan scholar such as Mr. Choephel, who worked to preserve Tibetan culture, reflects the systematic attempt by the Government of the People's Republic of China to repress cultural expression in Tibet.

(10) The Government of the People's Republic of China, through direct and indirect incentives, has established discriminatory development programs which have resulted in an overwhelming flow of Chinese immigrants into Tibet, including those areas incorporated into the Chinese provinces of Sichuan, Yunnan, Gansu, and Qinghai, and have excluded Tibetans from participation in important policy decisions, which further threatens traditional Tibetan life.

(11) The Government of the People's Republic of China withholds meaningful participation in the governance of Tibet from Tibetans and has failed to abide by its own constitutional guarantee of autonomy for Tibetans.

(12) The Dalai Lama of Tibet has stated his willingness to enter into negotiations with the Chinese and has repeatedly accepted the framework Deng Xiaoping proposed for such negotiations in 1979.

(13) The United States Government has not developed an effective plan to win support in international fora, such as the United States Commission on Human Rights, to bring international pressure to bear on the Government of the People's Republic of China to improve human rights and to negotiate with the Dalai Lama.

(14) The Chinese have displayed provocative disregard for the concerns of the United States by arresting and sentencing prominent dissidents in close proximity to visits to China by senior United States Government officials.

(15) The United States Government policy seeks to foster negotiations between the Governments of the People's Republic of China and the Dalai Lama, and processes China to respect Tibet's unique religious, linguistic, and cultural traditions.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) Ngawang Choephel and other prisoners of conscience in Tibet, as well as in China, should be released immediately and unconditionally;

(2) to underscore the gravity of this matter, in all official meetings with representatives of the Government of the People's Republic of China, United States officials

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should request Mr. Choephel's immediate and unconditional release;

(3) the United States Government should sponsor and promote a resolution at future meetings of the United Nations Commission on Human Rights and other appropriate international fora regarding China and Tibet which specifically political prisoners and ne-

gotiations with the Dalai Lama, until those situations in China and Tibet improve substantially;

(4) the United States Department of State should advise American citizens that Tibet is not currently a safe destination for American travelers;

(5) an exchange program should be established in honor of Ngawang Choephel, involv-

ing students of the Tibetan Institute of Performing Arts and appropriate educational institutions in the United States; and

(6) the United States Government should seek access for internationally recognized human rights groups to monitor human rights in Tibet.